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E-FILED - 12/15/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JAMES D. SMITH,)	C 08-5298 RMW (PR)
)	
Petitioner,)	JUDGMENT
)	
vs.)	
)	
GREGORY AHERN,)	
)	
Respondent.)	
_____)	

The court has dismissed this action without prejudice. A judgment of dismissal without prejudice is hereby entered. The clerk shall close the file.

IT IS SO ORDERED.

DATED: 12/12/08

RONALD M. WHYTE
United States District Judge