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NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEVONTE BERNARD HARRIS,)	No. C 09-00100 JF (PR)
Plaintiff,)	ORDER VACATING ORDER TO REISSUE SUMMONS AS TO DEFENDANT HARKINS
vs.)	
JAMES THOM, et al.,)	
Defendants.)	

Plaintiff, a California prisoner proceeding pro se, filed the instant civil rights action pursuant to 42 U.S.C. § 1983 against officials of the Pelican Bay State Prison (“PBSP”). Plaintiff filed a request to voluntarily dismiss Defendant James Harkins from this action. (Docket No. 42.) Defendant Harkins was terminated from this action on November 20, 2009. Accordingly, the Court order directing the Clerk to reissue summons as to Defendant Harkins (Docket No. 43) is VACATED. The Court order granting Defendant Spencer’s motion to change time to file dispositive motion (Docket Nos. 35 & 36) shall remain in effect.

IT IS SO ORDERED.
DATED: 12/10/09



JEREMY FOCHEL
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DEVONTE B. HARRIS,
Plaintiff,

Case Number: CV09-00100 JF

CERTIFICATE OF SERVICE

v.

JAMES THOM, et al.,
Defendants.

_____ /

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 12/11/09, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Devonte Bernard Harris P 73399
CA State Prison-Corcoran II
P.O. Box 3481
4B3L-07L
Corcoran, CA 93212

Dated: 12/11/09

Richard W. Wieking, Clerk