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

10 JOHN HEMSLEY, ) No. C 10-2820 LHK (PR  
11 )  
12 Plaintiff, ) ORDER OF DISMISSAL  
13 )  
14 v. )  
15 MRS. TONI, et al., )  
16 )  
17 Defendants. )  
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16 Plaintiff, a state prisoner proceeding *pro se*, filed a civil rights complaint pursuant to 42  
17 U.S.C. § 1983 against Mrs. Toni, an employee of the Santa Rita Medical Department, and the  
18 Santa Rita County Jail medical staff. On November 10, 2010, Plaintiff filed an amended  
19 complaint. On January 21, 2011, the Court ordered the amended complaint dismissed with leave  
20 to amend. In the order, the Court ordered Plaintiff to file a second amended complaint to cure all  
21 deficiencies within 30 days of the order. The Court warned that if Plaintiff failed to do so within  
22 the Court's deadline, it would result in the dismissal of this action without prejudice. To date,  
23 the Court has received no response from plaintiff.

24 Accordingly, the instant action is DISMISSED without prejudice. The Clerk shall close  
25 the file.

26 IT IS SO ORDERED.

27 DATED: 3/21/11

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LUCY H. KOH  
United States District Judge