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

BRENT LUIS GONZALEZ,)	No. C 10-5654 LHK (PR)
)	
Plaintiff,)	ORDER GRANTING
)	DEFENDANTS' MOTION TO
v.)	DISMISS
)	
Z. AHMED, et al.,)	
)	(Docket No. 54)
Defendants.)	

Plaintiff, a state prisoner proceeding *pro se*, filed an amended civil rights complaint pursuant to 42 U.S.C. § 1983 challenging the conditions of his confinement at Correctional Training Facility - Soledad. On September 19, 2011, the Court granted Defendants' motion to dismiss Plaintiff's state law claims, Fourteenth Amendment claim, and claims against Defendants in their official capacities. In that same order, the Court granted Plaintiff's motion for leave to file a second amended complaint. The Court noted that Plaintiff's second amended complaint contained the same factual allegations as his amended complaint, but omitted the challenged Fourteenth Amendment claim, and did not sue Defendants in their official capacities. However, the second amended complaint still included state law claims.

Presumably, out of an abundance of caution, Defendants filed a motion to dismiss the state law claims as barred. The motion is substantively the same as the original motion, filed on May 3, 2011, and granted on September 19, 2011. Plaintiff has not filed an opposition. For the

1 reasons stated in the Court's September 19, 2011 order, Defendants' motion to dismiss Plaintiff's
2 state law claims is GRANTED. Plaintiff's state law claims are DISMISSED.

3 IT IS SO ORDERED.

4 DATED: 11/22/11


LUCY H. KOH
United States District Judge

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