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

RICKY THOMAS,	)	No. C 11-4236 RMW (PR)
	)	
Petitioner,	)	JUDGMENT
	)	
v.	)	
	)	
GARY SWARTHOUT, Warden,	)	
	)	
Respondent.	)	
_____	)	

The court has dismissed the instant petition for writ of habeas corpus without prejudice. A judgment of dismissal without prejudice is entered. The clerk shall close the file.

IT IS SO ORDERED.

DATED: \_\_\_\_\_

*Ronald M. Whyte*  
 RONALD M. WHYTE  
 United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

RICKY THOMAS,  
Plaintiff,

Case Number: CV11-04236 RMW

**CERTIFICATE OF SERVICE**

v.

GARY SWARTHOUT, Warden,  
Defendant.

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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 October 25, 2011, 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.

Ricky Thomas 81361-011  
Santa Rita County Jail  
UKE744  
5325 Broder Boulevard  
Dublin, CA 94568

Dated: October 25, 2011

Richard W. Wieking, Clerk  
By: Jackie Lynn Garcia, Deputy Clerk