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DAVID A. BROOKS

No. C 15-05154 EJD (PR)

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Petitioner,

ORDER OF DISMISSAL

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v.

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DAVID LONG,

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Respondent.

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On November 10, 2015, Petitioner, a California inmate proceeding pro se, filed a document entitled “Declaration to Support Extension of Time to File”<sup>1</sup> (Docket No. 1.) On the same day, the Clerk sent Petitioner a notice that he must file a proper petition along with the court’s form petition. (Docket No. 4.) Petitioner was advised that failure to file a petition within twenty-eight days would result in dismissal of the action. (Id.)

The deadline has since passed, and Petitioner has failed to respond. Accordingly, this case is **DISMISSED** without prejudice for failure to file a petition.

The Clerk shall terminate any pending motions and close the file.

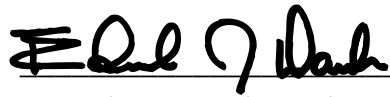
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<sup>1</sup>The matter was reassigned to this Court on December 16, 2015, after Petitioner did not file consent to magistrate jurisdiction in the time provided. (See Docket Nos. 5 & 8.)

**United States District Court**  
For the Northern District of California

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DATED: 1/19/2016



EDWARD J. DAVILA  
United States District Judge

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DAVID A. BROOKS,  
Plaintiff,

v.

DAVID LONG,  
Defendant.

Case No. [5:15-cv-05154-EJD](#)

**CERTIFICATE OF SERVICE**

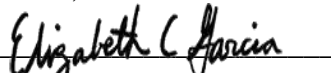
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on 1/19/2016, 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.

David A. Brooks ID: AN4774  
C.C.C.F.  
P.O. Box 2610  
California City, CA 93504

Dated: 1/19/2016

Susan Y. Soong  
Clerk, United States District Court

  
Elizabeth Garcia, Deputy Clerk to the  
Honorable EDWARD J. DAVILA