

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

McDaughtery v. Arce

McDaughtery · No. 25-cv-02474-JSC · Decided July 24, 2025

SUMMARY

The United States District Court for the Northern District of California dismissed the plaintiff's civil rights case with prejudice after he failed to file an amended complaint within the time allowed. The court directed the Clerk to enter judgment and close the case.

OPINION

McDaughtery v. Arce

PER CURIAM.

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4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 LESESTER D. MCDAUGHTERY, Case No. 25-cv-02474-JSC g Plaintiff,

ORDER OF DISMISSAL

9 V.

10 CARLOS ARCE,

11 Defendant. 12 On April 23, 2025, the Court dismissed Plaintiff's civil rights complaint for failure to

E 13 || present a cognizable claim for relief. (ECF No. 9.) Plaintiff was granted 28 days to file an
14 || amended complaint, and warned that if he did not do so the case would be dismissed. He has
not 3 15 || filed an amended complaint, requested an extension of time, or shown cause why not.
This case is 16 || accordingly DISMISSED with prejudice. See WMX Technologies v. Miller, 104
F.3d 1133, 1136 i 17 || (9th Cir. 1997) (when complaint has been dismissed with leave to amend
and plaintiff does not Z 18 || amend, further district court determination is necessary). 19 The
Clerk shall enter judgment and close the file. 20 IT IS SO ORDERED. 21 Dated: July 24, 2025 22
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JACQUELINE SCOTT CORL

24 United States District Judge 25 26 27 28