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FILED: 1/08/2013

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

Joseph Anthony D'Errico ,
Plaintiff,

v.
Commissioner, IRS,
Defendant.

CASE NO. CV 10-9299-GHK (CWx)
JUDGMENT

Pursuant to the Court's January 8, 2013 Order, IT IS HEREBY ADJUDGED that Plaintiff Joseph Anthony D'Errico's claims against Defendant Commissioner, Internal Revenue Service ("Defendant") are **DISMISSED** as moot. Also pursuant to the Court's January 8, 2013 Order, Defendant's Counterclaim is dismissed pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(i) and 41(c).

IT IS SO ORDERED.

DATED: January 8, 2013



GEORGE H. KING
Chief United States District Judge