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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DINH TRAN CANH,	}	No. CV 13-5002 JSL (FFM)	
Petitioner,		ORDER FOR DISMISSAL OF	
v.		PETITION WITHOUT PREJUDICE	
UNITED STATES OF AMERICA, et			
al.,			
Respondents.			

On July 12, 2013, Dinh Tran Canh (hereinafter “Petitioner”) initiated this action by filing a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (hereinafter “Petition”). Petitioner sought relief from a detainer that had been placed against him by the Department of Homeland Security. On August 15, 2013, respondents filed a notice that the detainer had been lifted and suggested that the Petition is now moot. The Court issued an order on August 23, 2013 requiring Petitioner to show cause why the action should not be dismissed as moot. Petitioner responded to the Court order by filing a voluntary request for dismissal without prejudice of this action.

The Court construes Petitioner’s request to constitute notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1). Because respondents have not filed an answer to the Complaint or a motion for summary judgment, the

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1 notice is sufficient in and of itself to dismiss the action without further order of
2 this Court.

3 IT IS THEREFORE ORDERED that this action is hereby dismissed
4 without prejudice.

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6 DATED: September 16, 2013

A rectangular box containing a handwritten signature in dark ink that reads "Spencer Letts".

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8
9 J. SPENCER LETTS
10 United States District Judge

11 Presented by:

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13 /S/ FREDERICK F. MUMM
14 FREDERICK F. MUMM
15 United States Magistrate Judge
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