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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA


RUCHELL CINQUE MAGEE,
Petitioner,
v.
J. GASTELLO,
Respondent.

No. CV 17-5165 AB (FFM)
ORDER FOR DISMISSAL OF
PETITION WITHOUT PREJUDICE

On or about July 24, 2017, Petitioner Ruchell Cinque Magee filed a document entitled Demand Dismissal of Writ of Habeas Corpus. The Court construes Petitioner’s request as a notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1). Because Respondent has not filed a response to the Petition, the notice is sufficient in and of itself to dismiss the action without further order of this Court.

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

DATED: August 17, 2017



ANDRÉ BIROTTE JR.
United States District Judge

Presented by:
/S/ FREDERICK F. MUMM
FREDERICK F. MUMM
United States Magistrate Judge