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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

PHILLIP P. FIGURES,
 	
            Plaintiff,
 	
      v.
 	
ACTING CAPTAIN COX, *et al.*,
 	
            Defendants.
	Case No. ED CV 17-0425 JVS (JCG)
	
	ORDER GRANTING PLAINTIFF'S MOTION TO DISMISS CASE AND DISMISSING CIVIL RIGHTS ACTION WITHOUT PREJUDICE

The Court is in receipt of Plaintiff's letter ("Request"), filed on March 27, 2017.[1] [Dkt. No. 9.] Therein, Plaintiff explains that he had filed a duplicative complaint. (*See* Req. at 1); [*see also* Case No. ED CV 17-0501, Dkt. No. 5].

The Court construes Plaintiff's Request as a Notice of Voluntary Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). Under Rule 41, a plaintiff may dismiss his action without an order of the court by filing a Notice of Dismissal at any time before the service of an answer or motion for summary judgment by an adverse party. Here, Defendants have not yet appeared in the current action, and have not filed any

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[1] The Court reminds Plaintiff that pursuant to Local Rule 83-2.5, he may not communicate with the Court or its Clerk by letter. All inquiries, requests, or matters to be called to the Court's attention should be submitted for filing as motions, applications, or other appropriate pleadings.

1 responsive pleadings.

2   Accordingly, **IT IS ORDERED THAT** Plaintiff's Request, [Dkt. No. 9], is

3 **GRANTED**, and this action be **DISMISSED WITHOUT PREJUDICE** pursuant to

4 Fed. R. Civ. P. 41(a)(1)(A)(i).

5   Plaintiff's Motion for a Temporary Restraining Order, [Dkt. Nos. 3-4], is

6 therefore **DENIED WITHOUT PREJUDICE**.

7   The Court **DIRECTS** Plaintiff to file any future documents under Case No. ED

8 CV 17-0501.

9   **LET JUDGMENT BE ENTERED ACCORDINGLY**.

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11 DATED: April 3, 2017

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13   HON. JAMES V. SELNA
                      UNITED STATES DISTRICT JUDGE

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