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89 **IN THE UNITED STATES DISTRICT COURT**
10 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
1112
13 GIOVANA AGUILAR,
14 Petitioner,
15 v.
16 ELISEO RICOLCOL, Warden,
17 Respondent.
18

Case No. ED CV 23-1526 (MRW)

**ORDER DISMISSING ACTION
WITHOUT PREJUDICE PER
PETITIONER'S REQUEST**19 1. This is habeas corpus action under 28 U.S.C. § 2241 involving a
20 federal prisoner. The pro se petition alleges that the Bureau of Prisons
21 failed to properly determine Petitioner's custody release date under the
22 First Step Act. (Docket # 1.)
2324 2. After the magistrate judge screened the petition, the
25 government moved to dismiss the action. (Docket # 6, 13.) The dismissal
26 motion explained and defended the BOP's release date calculation. The
27 government also contended that Petitioner's action was premature and
28 commenced without properly exhausting administrative remedies.

1 3. In response to the dismissal motion, Petitioner filed a
2 statement asking to voluntarily dismiss the action. (Docket # 17.)

3 4. The request is GRANTED. The action will be dismissed
4 without prejudice.

5 5. The Clerk is directed to close the action.

6 IT IS SO ORDERED.

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9 Dated: November 14, 2023



10 HON. GEORGE H. WU
11 SENIOR U.S. DISTRICT JUDGE

12 Presented by:



15 HON. MICHAEL R. WILNER
16 UNITED STATES MAGISTRATE JUDGE
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