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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PHILLIP JON ROSENBLUM,

1:05-cv-01473-LJO-GSA-PC

Plaintiff,

ORDER GRANTING DEFENDANT’S
REQUEST TO WITHDRAW MOTION TO
DISMISS
(Doc. 82.)

v.

C/O ELLIS, et al.,

Defendants.

ORDER FOR CLERK TO WITHDRAW
MOTION TO DISMISS FROM COURT
DOCKET
(Doc. 79.)

I. BACKGROUND

Phillip Jon Rosenblum (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on November 21, 2005. (Doc. 1.)

On April 12, 2011, Defendant Ellis filed a motion to dismiss this action. (Doc. 79.) On May 9, 2011, Defendant Ellis filed a notice of withdrawal of the motion to dismiss. (Doc. 82.)

Accordingly, IT IS HEREBY ORDERED that:

1. Defendant’s request to withdraw the motion to dismiss is GRANTED; and
2. The Clerk is directed to withdraw Defendant’s motion to dismiss from the Court’s docket.

IT IS SO ORDERED.

Dated: May 9, 2011

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE