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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SID LANDAU,

Plaintiff,

v.

W. T. VOSS, et al.,

Defendants.

CASE NO. 1:07-cv-00815-AWI-DLB PC

ORDER DISMISSING DEFENDANT W. T. VOSS FROM ACTION

_____ /

Plaintiff Sid Landau ("Plaintiff") is a civil detainee proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On April 19, 2010, the United States Marshal, who must effect service of process on behalf of plaintiffs proceeding in forma pauperis, returned a summons for Defendant W. T. Voss unexecuted. (Doc. 70.) According to the summons, Defendant Voss is deceased. In light of the suggestion in the record of Defendant Voss's death, the Court will dismiss Defendant Voss from this action.

Accordingly, it is HEREBY ORDERED that Defendant W. T. Voss is dismissed from this action, without prejudice, pursuant to Federal Rule of Civil Procedure 4(m).

IT IS SO ORDERED.

Dated: May 6, 2010

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE