

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

WAYNE P. DeBERRY,

Plaintiff,

v.

AUDREY KING and JACK CARTER,

Defendants.

Case No. 1:07-cv-00850-BLW

ORDER

This case was recently severed from the consolidated case of *Allen v. King*, 1:06-cv-01801-BLW-LMB, and reopened (as were the individual cases of all remaining Plaintiffs). Plaintiff Wayne P. DeBerry has been adjudicated a sexually violent predator under California's Sexually Violent Predator Act (SVPA), Cal. Welf. & Inst. Code § 6600 *et seq.*, and has been civilly committed to Coalinga State Hospital (CSH). In this action, Plaintiff challenges the conditions of his commitment. In the Court's August 1, 2013 Memorandum Decision and Order, the Court allowed Plaintiff to proceed only on his claims that (1) he is forced to wear soiled and unsanitary clothing, and (2) he is kept awake at night by the Public Address (PA) system used at CSH. (*See* Dkt. 47.)

Plaintiff has now filed a Motion for Voluntary Dismissal of these claims, which the Court will grant. Because there are no claims remaining in this action, Plaintiff's

ORDER - 1

Amended Complaint will be dismissed with prejudice.

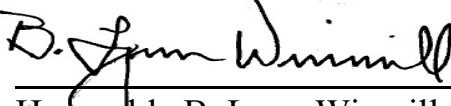
ORDER

IT IS ORDERED:

1. Plaintiff's Motion for Voluntary Dismissal of Claims in Regards to the Public Address System and Laundry Complaints (Dkt. 53) is GRANTED.
2. This case is DISMISSED with prejudice.



DATED: **March 3, 2014**


Honorable B. Lynn Winmill
Chief U. S. District Judge