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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SANFORD D. JONES,

CASE NO. 1:07-cv-1207-MJS (PC)

Plaintiff,

ORDER DISMISSING CASE ON
PLAINTIFF'S MOTION

v.

(ECF No. 47)

STEPHEN MAYBERG, et al.,

Defendants.

_____ /

Plaintiff Sanford D. Jones ("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 June 14, 2010, the Court ordered Plaintiff to show cause why this action should not be dismissed based on his failure to file an amended complaint. (ECF No. 46.) Plaintiff responded that the subject of his lawsuit was "in a state of flux and unstable" and that, therefore, he wished to dismiss the current action. (ECF No. 47.) Because Defendants have filed neither an answer nor a motion for summary judgment, Plaintiff's notice of dismissal automatically ends this action. Fed. R. Civ. Proc. 41(a).

Based on Plaintiff's request for dismissal, the above-captioned action is DISMISSED WITHOUT PREJUDICE. The Clerk shall close the case.

IT IS SO ORDERED.

Dated: July 23, 2010

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE