

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

NORRIS MILLS, CASE NO. 1:08-cv-00034-AWI-GSA PC

Plaintiff, ORDER DIRECTING CLERK OF THE COURT
v. TO CLOSE THIS CASE PURSUANT TO
THE GOVERNOR OF THE PLAINTIFF'S NOTICE OF VOLUNTARY
STATE OF CALIFORNIA, et al., DISMISSAL

(Doc. 16)

Defendants.

On April 23, 2009, Plaintiff Norris Mills filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(i). At this stage in the proceedings, Plaintiff has the absolute right to dismiss his claims, without prejudice. Duke Energy Trading and Marketing, L.L.C. v. Davis, 267 F.3d 1042, 1049 (9th Cir. 2001). The filing of the notice itself has the effect of closing the action, and the Court no longer has jurisdiction over the claims. Id.

Accordingly, the Clerk of the Court is HEREBY DIRECTED to close this file pursuant to Plaintiff's notice of voluntary dismissal filed on April 23, 2009.

IT IS SO ORDERED.

Dated: April 24, 2009

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE