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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CURTIS LEE HENDERSON, SR.,

Plaintiff,

v.

G. RODRIGUEZ,

Defendant.

CASE NO. 1:08-CV-00188-LJO-DLB PC

ORDER DIRECTING CLERK OF THE
COURT TO CLOSE ACTION PURSUANT
TO PARTIES' STIPULATION OF
VOLUNTARY DISMISSAL

(DOC. 106)

Plaintiff Curtis Lee Henderson, Sr. ("Plaintiff") is a prisoner in the custody of the California Department of Corrections and Rehabilitation ("CDCR"). Plaintiff is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding against Defendant G. Rodriguez. On October 7, 2011, the parties filed a stipulation of voluntary dismissal with prejudice, signed by Plaintiff and Defendant's counsel. Doc. 106. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the plaintiff may dismiss an action without court order by filing a stipulation of dismissal signed by all parties who have appeared. Such stipulation has been filed with the Court.

Accordingly, it is HEREBY ORDERED that the action be DISMISSED and the Clerk of the Court is directed to close this action pursuant to the parties' stipulation of voluntary dismissal with prejudice. Each side shall bear their own costs. All pending dates are vacated and all pending motions are denied as moot.

IT IS SO ORDERED.

Dated: October 11, 2011

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE