IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

Alfred C. Lombardelli, Plaintiff, vs. K. Halsey, et. al., Defendants.	No. CV 08-658-JMR **ORDER**

Pending is Plaintiff's Motion to Dismiss Defendant Anderson (Doc. 46) in which he "moves to dismiss Anderson from his complaint without conceding that he did not exhaust his administrative remedies."

Accordingly,

IT IS ORDERED that Plaintiff's Motion to Dismiss Defendant Anderson (Doc. 46) is **granted** and Defendant Anderson is hereby **dismissed** from this lawsuit.

IT IS FURTHER ORDERED that Defendant Anderson's Motion to Dismiss (Doc. 43) is **denied** as moot in light of this order.

DATED this 19th day of January, 2011.

Raner C. Collins
United States District Judge

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