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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BRYAN E. RANSOM,

Plaintiff,

v.

J. MARTINEZ, et al.,

Defendants.

CASE NO. 1:08-cv-01812-AWI-GBC (PC)

ORDER DIRECTING CLERK OF THE COURT
TO CLOSE THIS CASE PURSUANT TO
PLAINTIFF’S NOTICE OF VOLUNTARY
DISMISSAL

(Doc. 55)

_____/

Plaintiff Bryan E. Ransom, (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis (“IFP”) in this civil rights action seeking relief under 42 U.S.C. § 1983. On August 9, 2010, Defendants submitted a motion to revoke Plaintiff’s IFP status pursuant to 28 U.S.C. § 1915(g). (Doc. 24). On December 6, 2010, the Court submitted Findings and Recommendations in which the Court recommended that Plaintiff’s IFP status be revoked pursuant to 28 U.S.C. § 1915(g) and directed Plaintiff to pay filing fee or else action would be dismissed. (Doc. 41). On December 15, 2010, Plaintiff appealed, on February 11, 2011, the District Court adopted the Magistrate Court’s Findings and Recommendations and on February 22, 2011, United States Court of Appeals for the Ninth Circuit processed the appeal. (Docs. 44, 45, 47). On March 7, 2011, Plaintiff filed a motion for emergency injunction and a motion for reconsideration pursuant to Rule 60(b) of the Federal Rules of Civil Procedure. (Docs. 49, 52). On September 29, 2011, the Court denied Plaintiff’s motions for injunction and reconsideration and ordered Plaintiff to pay the filing fee within thirty days. (Doc. 54).

1 On October 13, 2011, Plaintiff filed a notice of voluntary dismissal pursuant to Federal Rule
2 of Civil Procedure 41(a)(1)(i). (Doc. 55). At this stage in the proceedings, Plaintiff has the absolute
3 right to dismiss his claims, without prejudice. *Duke Energy Trading and Marketing, L.L.C. v. Davis*,
4 267 F.3d 1042, 1049 (9th Cir. 2001). The filing of the notice itself has the effect of closing the
5 action, and the Court no longer has jurisdiction over the claims. *Id.*

6 Accordingly, the Clerk of the Court is HEREBY DIRECTED to close this file pursuant to
7 Plaintiff's notice of voluntary dismissal filed on October 13, 2011.

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9 IT IS SO ORDERED.

10 Dated: October 24, 2011

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13 CHIEF UNITED STATES DISTRICT JUDGE
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