

1
2
3
4
5
6
7
8 **UNITED STATES DISTRICT COURT**
9
10
11
12
13
14
15
16

EASTERN DISTRICT OF CALIFORNIA

11 ANTHONY GASTON,

Case No. 1:09-cv-01966-AWI-MJS (PC)

12 Plaintiff,

VOLUNTARY DISMISSAL OF ACTION

13 v.

(ECF No. 34)

14 I. PATEL, et al.,

CLERK SHALL CLOSE CASE

15 Defendants.

16
17 Plaintiff Anthony Gaston is a state prisoner proceeding pro se in this civil rights
18 action pursuant to 42 U.S.C. § 1983. Plaintiff filed a motion to withdraw the complaint
19 voluntarily in the interests of justice on January 15, 2014 (ECF No. 34).
2021 Under Fed. R. Civ. P. 41(a)(1)(A), a plaintiff may dismiss an action without a court
22 order by filing a notice of dismissal. Plaintiff's January 15, 2014 notice is sufficient as a
23 notice of dismissal under Rule 41.24 Accordingly, pursuant to Fed. R. Civ. P. 41, this action is hereby DISMISSED
25 without prejudice. The Clerk shall CLOSE this case.
IT IS SO ORDERED.26
27 Dated: January 19, 2014*/s/ Michael J. Seng*
28 UNITED STATES MAGISTRATE JUDGE