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6 **UNITED STATES DISTRICT COURT**
78 EASTERN DISTRICT OF CALIFORNIA
910 LUIS ROBERTO MARTINEZ, CASE NO. 1:09-cv-01994-OWW-SMS PC
11 v. Plaintiff, ORDER DIRECTING CLERK OF THE COURT
12 MERCY HOSPITAL OF TO CLOSE THIS CASE PURSUANT TO
BAKERSFIELD, et al., PLAINTIFF'S NOTICE OF VOLUNTARY
13 Defendants. DISMISSAL
1415 (Doc. 13)
1617 On March 14, 2011, Plaintiff Luis Roberto Martinez filed a notice of voluntary dismissal
18 pursuant to Federal Rule of Civil Procedure 41(a)(1)(i). At this stage in the proceedings, Plaintiff
19 has the absolute right to dismiss his claims, without prejudice. Duke Energy Trading and Marketing,
20 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.21 Accordingly, the Clerk of the Court is HEREBY DIRECTED to close this file pursuant to
22 Plaintiff's notice of voluntary dismissal filed on March 14, 2011.23
24 IT IS SO ORDERED.25 Dated: March 16, 201126 /s/ Oliver W. Wanger
27 UNITED STATES DISTRICT JUDGE
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