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7 **IN THE UNITED STATES DISTRICT COURT FOR THE**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 DORIAN M. AQUINO,

11 Plaintiff,

12 v.

13 GODWIN VGWUEZE,

14 Defendant.
15 _____

NO. 1:10-cv-00584-AWI-MJS-PC

ORDER GRANTING PLAINTIFF'S
MOTION TO DISMISS

(Doc. 5)

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17 Plaintiff is a state prisoner proceeding pro se in this civil rights action pursuant to 42
18 U.S.C. § 1983. Pending before the Court is Plaintiff's motion for voluntary dismissal of this
19 action.

20 This action was initiated by civil complaint filed by Plaintiff on April 5, 2010. On April
21 12, 2010, Plaintiff filed a document titled as a Notice of Voluntary Dismissal. In his notice,
22 Plaintiff indicates that he "wishes the court to please dismiss the following case #, 1:10-cv-
23 00584-MJS." Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff may dismiss
24 his action on his own motion, so long as a responsive pleading has not been filed. There has
25 been no service of process and Defendant has not entered an appearance.

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1 Accordingly, IT IS HEREBY ORDERED that this action is dismissed, without prejudice,
2 on Plaintiff's request. The Clerk is directed to close this case.

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4 IT IS SO ORDERED.

5 **Dated: June 14, 2010**

/s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE