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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ELVIN JOHN CABRERA,
Plaintiff,
v.
THOMAS M. MADDOCK, et al,
Defendants.

CASE NO. 1:10-cv-00611-LJO-MJS (PC)
VOLUNTARY DISMISSAL OF ACTION
(ECF No. 37)
CLERK TO TERMINATE ALL PENDING
MOTIONS AND CLOSE CASE

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. On April 21, 2016, Plaintiff filed a notice of intent to dismiss action. (ECF No. 37.)

Under Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. Plaintiff's April 21, 2016 notice is sufficient under Rule 41.

Accordingly, this action is DISMISSED without prejudice. The Clerk shall terminate all pending motions and CLOSE this case.
IT IS SO ORDERED.

Dated: April 21, 2016

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE