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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

LUIS FERNANDO TORRES,  
et al.,

Plaintiffs,

vs.

S. RODRIGUEZ,

Defendant.

CASE NO. CV F 10-0670 LJO SKO

**ORDER TO DISMISS DEFENDANTS  
HERNANDEZ AND ROJAS**  
(Doc. 57.)

Plaintiffs filed a motion to dismiss defendants Jesus Hernandez and Nick Rojas. This Court construes plaintiffs' motion as a request for voluntary dismissal of defendants Jesus Hernandez and Nick Rojas under F.R.Civ.P. 41(a)(1)(A)(i). As such, this Court:

1. DISMISSES this action against defendants Jesus Hernandez and Nick Rojas only;
2. VACATES the January 10, 2012 hearing on plaintiffs' motion to dismiss defendants Jesus Hernandez and Nick Rojas; and
3. DIRECTS the clerk not to close this action.

IT IS SO ORDERED.

**Dated: November 17, 2011**

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