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9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA  
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12 VINCENTE GARCIA,

1:10-cv-0730-AWI-MJS (PC)

13 Plaintiff,

VOLUNTARY DISMISSAL OF ACTION

14 v.

15 A. JOAQUIN, et al.,

(ECF No. 54)

16 Defendants.

CLERK SHALL CLOSE CASE

17 \_\_\_\_\_ /  
18 Plaintiff Vincente Garcia ("Plaintiff") is a state prisoner proceeding pro se in a civil  
19 rights action pursuant to 42 U.S.C. § 1983.

20 This action was initiated April 27, 2010. (ECF No. 1.) On December 23, 2011,  
21 Plaintiff filed a letter with the Court, asking that his Complaint be voluntarily dismissed.  
22 (ECF No. 54.)

23 Under Fed. R. Civ. P. 41(a)(1)(A), a plaintiff may dismiss an action without a court  
24 order by filing a notice of dismissal. Plaintiff's letter is interpreted as a notice of dismissal.

25 Accordingly, pursuant to Fed. R. Civ. P. 41, this action is hereby DISMISSED  
26 without prejudice.

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1 The Clerk shall CLOSE this case.

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4 IT IS SO ORDERED.

5 Dated: January 4, 2012

/s/ Michael J. Lenz  
UNITED STATES MAGISTRATE JUDGE