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

ANTHONY A. ARCEO,  
Plaintiff,

v.

STATE OF CALIFORNIA, et al.,  
Defendants.

Case No. 1:10-cv-02275-AWI-GBC (PC)

ORDER DIRECTING THE CLERK OF  
COURT TO CLOSE THIS CASE  
PURSUANT TO PLAINTIFF'S  
VOLUNTARY DISMISSAL

(ECF No. 9)

CLERK TO CLOSE CASE

Plaintiff is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On July 6, 2011, Plaintiff filed a notice of voluntary dismissal. (ECF No. 9.) At this stage in the proceedings, Plaintiff has the absolute right to dismiss his claims without prejudice. See Duke Energy Trading and Marketing, L.L.C. v. Davis, 267 F.3d 1042, 1049 (9th Cir. 2001). The filing of the notice of voluntary dismissal has the effect of closing the action, and the Court no longer has jurisdiction over the claims. Id.

Accordingly, the Clerk of Court is HEREBY ORDERED to close this case pursuant to Plaintiff's notice of voluntary dismissal filed July 6, 2011. All pending motions in this action are DISMISSED as moot.

IT IS SO ORDERED.

Dated: July 11, 2011

  
CHIEF UNITED STATES DISTRICT JUDGE