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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JERRY LEWIS,)	1:11cv00369 AWI DLB PC
)	
Plaintiff,)	ORDER DIRECTING CLERK OF THE
)	COURT TO CLOSE THIS CASE
vs.)	PURSUANT TO PLAINTIFF'S NOTICE OF
)	VOLUNTARY DISMISSAL
J. JASSO, et al.,)	
)	(Document 15)
Defendants.)	

On September 19, 2011, Plaintiff filed a Second Amended Complaint pursuant to the Court's prior screening order. However, Plaintiff does not allege any facts or causes of action and instead requests to "withdraw his claim" because he cannot state an adequate claim. The Court construes this as a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(i). At this stage in the proceedings, Plaintiff has the absolute right to dismiss his claims, without prejudice. Duke Energy Trading and Marketing, L.L.C. v. Davis, 267 F.3d 1042, 1049 (9th Cir. 2001). The filing of the notice itself has the effect of closing the action, and the Court no longer has jurisdiction over the claims. Id.

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