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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DARRYL E. BROWN,  
Plaintiff,

1:11-cv-1886-MJS (PC)

v.

VOLUNTARY DISMISSAL OF ACTION

G. GIBSON, et al.,  
Defendant.

(ECF No. 7)

CLERK SHALL CLOSE CASE

\_\_\_\_\_ /

Plaintiff Darryl E. Brown ("Plaintiff") is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983.

This action was initiated November 14, 2011. (ECF No. 1.) On the same day, Plaintiff filed a Motion for a Temporary Restraining Order. (ECF No. 3.) Plaintiff later filed a Motion for leave to amend his Complaint. (ECF No. 6.) Then, on December 8, 2011, Plaintiff filed a "Motion: Requesting Voluntary Dismissal," asking that his Complaint be voluntarily dismissed. (ECF No. 7.)

Under Fed. R. Civ. P. 41(a)(1)(A), a plaintiff may dismiss an action without a court order by filing a notice of dismissal. Plaintiff's motion to withdraw is read as a notice of dismissal.

Accordingly, pursuant to Fed. R. Civ. P. 41, this action is hereby DISMISSED

1 without prejudice.

2           The Clerk shall CLOSE this case.

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5 IT IS SO ORDERED.

6 Dated: December 16, 2011

*/s/ Michael J. Seng*  
UNITED STATES MAGISTRATE JUDGE

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