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5	UNITED STAT	ES DISTRICT COURT
6	EASTERN DISTRICT OF CALIFORNIA	
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9	MICHANN DENISE MEADOWS,) 1:12-cv-01115-LJO-BAM (PC)
10	Plaintiff,) ORDER GRANTING PLAINTIFF'S
11	v.) REQUEST FOR VOLUNTARY DISMISSAL) (ECF No. 11)
12	LYDIA HENSE, et al.,)) ORDER DIRECTING CLERK OF COURT
13	Defendants.) TO CLOSE CASE AND ADJUST DOCKET) TO REFLECT VOLUNTARY DISMISSAL
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15)
16	Plaintiff Michann Denise Meadows ("Plaintiff") is a state prisoner proceeding pro se and	
17	in forma pauperis in this civil rights action pursuant to <u>42 U.S.C. § 1983</u> . Plaintiff filed her	
18	complaint on June 20, 2012, and the matter	was transferred to this Court on July 10, 2012. On

October 8, 2013, the Court dismissed Plaintiff's complaint with leave to amend. On October 28, 2013, Plaintiff moved to dismiss this action. (ECF No. 11.)

"[U]nder Rule 41(a)(1)(i), a plaintiff has an absolute right to voluntarily dismiss his action prior to service by the defendant of an answer or a motion for summary judgment." Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077 (9th Cir. 1999) (quotation and citation omitted). "[A] dismissal under Rule 41(a)(1) is effective on filing, no court order is required, the parties are left as though no action had been brought, the defendant can't complain, and the district court lacks jurisdiction to do anything about it." Id. at 1078. This action currently lacks an operative complaint, no defendant has been served and no defendant has filed an answer or other responsive pleading.

1	Accordingly, the Clerk of the Court is HEREBY ORDERED to CLOSE the file in this	
2	case and adjust the docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).	
3	All pending motions are terminated.	
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6	IT IS SO ORDERED.	
7	Dated: October 29, 2013 /s/ Lawrence J. O'Neill	
8	UNITED STATES DISTRICT JUDGE	
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