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

RODERICK LEAR,

CASE No. 1:13-cv-00882-MJS (PC)

Plaintiff,

ORDER DIRECTING PLAINTIFF TO  
CLARIFY RE DISMISSAL

v.

(ECF No. 7)

MICHELLE LEFTLER, et al.,

Defendants.

\_\_\_\_\_  
/

Plaintiff Roderick Lear, a state prisoner proceeding pro se and in forma pauperis filed this civil rights action on June 12, 2013 pursuant to 42 U.S.C. § 1983. (ECF No. 1.) The Complaint has not yet been screened by the Court.

Plaintiff filed a letter with the Court (ECF No. 7) which appears to seek legal direction regarding voluntarily dismissal of the action. The Court cannot provide Plaintiff with legal advice.

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 letter to the Court (ECF No. 7) is equivocal. The Court requires clarity as to whether Plaintiff actually wishes to voluntarily dismiss his action.

1 If Plaintiff wishes to dismiss the action, he is directed to file a notice of dismissal  
2 clearly stating his intention to do so. Absent such notice, the action shall remain  
3 pending.

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5 IT IS SO ORDERED.

6 Dated: June 19, 2013

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

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