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

**JOSEPH A. BROWN,**  
  
Petitioner,  
  
**v.**  
  
**J.E. THOMAS,**  
  
Respondent.

1:13-cv-01290 MJS HC  
**ORDER GRANTING PETITIONER'S  
MOTION TO VOLUNTARILY DISMISS  
PETITION**  
**[Doc. 6]**

Petitioner is a federal prisoner proceeding pro se with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

On August 26, 2013, Petitioner filed a motion to withdraw, without prejudice, his petition for writ of habeas corpus. (Mot., ECF No. 6.) Pursuant to Fed. Rule of Civ. Proc. 41(a)(1), Petitioner may voluntarily dismiss the action without prejudice. (See Rule 12, Rules Governing Section 2254 Cases, "The Federal Rules of Civil Procedure, to the extent that they are not inconsistent with any statutory provisions or these rules, may be applied to a proceeding under these rules.")

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Accordingly, good cause having been presented to the Court, IT IS HEREBY ORDERED that the petition is DISMISSED without prejudice.

IT IS SO ORDERED.

Dated: August 29, 2013

/s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE