

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CARLOS M. FLORES,) 1:15cv01447 DLB PC
Plaintiff,)
vs.) ORDER DIRECTING CLERK OF THE
CONNIE GIPSON,) COURT TO CLOSE THIS ACTION
Defendant.) PURSUANT TO PLAINTIFF'S NOTICE OF
) VOLUNTARY DISMISSAL
) (Document 7)
)

Plaintiff Carlos M. Flores (“Plaintiff”) is a prisoner proceeding pro se in this civil rights action filed on September 10, 2013.¹

On December 16, 2013, Plaintiff filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Plaintiff requests that this action be withdrawn and dismissed.

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.

¹ Plaintiff consented to the jurisdiction of the United States Magistrate Judge on September 16, 2013.

1 Accordingly, the Clerk of the Court is HEREBY DIRECTED to close this file pursuant to
2 Plaintiff's notice of voluntary dismissal filed on December 16, 2013.
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IT IS SO ORDERED.

7 Dated: December 17, 2013

/s/ Dennis L. Beck

8 UNITED STATES MAGISTRATE JUDGE
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