UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SIMON THORNTON, Plaintiff, v. L. DILEO, et al., Defendants.	**CASE NO. 1:14-cv-0920-LJO-MJS (PC)** **VOLUNTARY DISMISSAL OF ACTION** **(ECF NO. 12)** **CLERK TO TERMINATE ALL PENDING MOTIONS AND CLOSE CASE**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983.

Plaintiff filed a motion for voluntary dismissal on December 24, 2014. (ECF No. 12.)

Under Federal Rule of Civil Procedure 41(a)(1)(A), a plaintiff may dismiss an action without a court order by filing a notice of dismissal. Plaintiff's December 24, 2014 notice is sufficient under Rule 41.

Accordingly, this action is hereby DISMISSED without prejudice. The Clerk shall terminate all pending motions and CLOSE this case.

IT IS SO ORDERED.

Dated: **December 31, 2014**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE