

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

JAMES PAYNE, ) Case No.: 1:15-cv-00782-SAB (PC)  
Plaintiff, )  
v. ) ORDER DIRECTING CLERK OF COURT TO  
PAM AHLIN, ) CLOSE ACTION PURSUANT TO PLAINTIFF'S  
Defendant. ) NOTICE OF VOLUNTARY DISMISSAL  
 ) [ECF No. 8]  
 )  
 )  
 )

Plaintiff James Payne is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140 (9th Cir. 2000).

Plaintiff filed the instant complaint on March 9, 2015, in the United States District Court for the Eastern District of California, Sacramento Division. The action was transferred to this Court on May 22, 2015. Pursuant to 28 U.S.C. § 636(c), Plaintiff consented to the jurisdiction of the United States Magistrate Judge on March 23, 2015. Local Rule 302.

On June 4, 2015, Plaintiff filed a notice to withdraw the complaint and dismiss the action without prejudice. (ECF No. 8.)

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1 At this stage in the proceedings, Plaintiff has the absolute right to dismiss his claims, without  
2 prejudice. Duke Energy Trading and Marketing, L.L.C. v. Davis, 267 F.3d 1042, 1049 (9th Cir.  
3 2001). The filing of the notice itself has the effect of closing the action, and the Court no longer has  
4 jurisdiction over the claims. Id.

5 Accordingly, the Clerk of the Court is HEREBY DIRECTED to close this file pursuant to  
6 Plaintiff's notice of voluntary dismissal filed on June 4, 2015.

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8 IT IS SO ORDERED.

9 Dated: June 8, 2015

  
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UNITED STATES MAGISTRATE JUDGE