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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

HERBERT JOHNSON,  
Plaintiff,  
v.  
UNNAMED DEFENDANTS,  
Defendants.

1:16-cv-00708-DAD-MJS (PC)  
**ORDER GRANTING PLAINTIFF'S  
REQUEST TO DISMISS CASE WITHOUT  
PREJUDICE  
(ECF NO. 37)  
CLERK TO CLOSE CASE**

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. No other parties have appeared in this action. On February 1, 2017, Plaintiff filed a request to dismiss this case without prejudice. Pursuant to Federal Rule of Civil Procedure 41(a), this request will be granted.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request to dismiss this case without prejudice (ECF No. 37) is GRANTED; and
2. The Clerk of Court is directed to close this case.

IT IS SO ORDERED.

Dated: February 3, 2017

1st Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE