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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 DENYING PLAINTIFF'S MOTION
TO REOPEN CASE
(ECF NO. 41)
CASE TO REMAIN CLOSED**

Plaintiff is a state prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983. On February 1, 2017, following the screening of his Third Amended Complaint but before the appearance of any other parties, Plaintiff moved to dismiss this case without prejudice. Pursuant to Federal Rule of Civil Procedure 41(a), this action was closed on February 3, 2017.

Plaintiff now moves to reopen the case in a cursory motion that references his recent release from administrative segregation. Since this action was dismissed at Plaintiff's own request without prejudice and not pursuant to a Court order, IT IS HEREBY ORDERED that Plaintiff's motion to re-open is DENIED. Plaintiff may reassert his claims by filing a new suit.

IT IS SO ORDERED.

Dated: January 22, 2018

1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE