UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KEVIN BARNES, Plaintiff, v. UNION PACIFIC RAILROAD COMPANY, Defendant.	Case No.: 1:17-cv-01006 - LJO - JLT ORDER DISMISSING THE ACTION WITHOUT PREJUDICE PURSUANT TO THE PLAINTIFF'S REQUEST FOR VOLUNTARY DISMISSAL (Doc. 15)

On December 1, 2017, Plaintiff Kevin Barnes notified the Court that he was "unable to secure substitute counsel." (Doc. 15 at 1) As a result, Plaintiff "request[ed] that this case be dismissed." (Id.) The Court construes this to be a request for dismissal pursuant to Rule 41 of the Federal Rules of Civil Procedure, under which the Court may dismiss an action without prejudice upon the request of a plaintiff. See Fed. R. Civ. P. 41(a)(2). Accordingly, the Court **ORDERS**:

1. Plaintiff's request for dismissal of the action is **GRANTED**;
2. The complaint is **DISMISSED** without prejudice; and
3. The Clerk of Court is **DIRECTED** to close this action.

IT IS SO ORDERED.

Dated: **December 13, 2017** **/s/ Lawrence J. O'Neill**
UNITED STATES CHIEF DISTRICT JUDGE