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8	IN THE UNITED S	STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
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11		Case No. 1:17-cv-01632-AWI-JDP	
12	LOUIS A. ALARCON,	FINDINGS AND RECOMMENDATIONS THAT	
13	Plaintiff,	CASE BE DISMISSED WITHOUT PREJUDICE	
14	V.	OBJECTIONS DUE IN FOURTEEN DAYS	
15		ORDER VACATING SETTLEMENT CONFERENCE AND VACATING ORDER TO	
16	C. XOYOUDOM, et al.,	PRODUCE PLAINTIFF FOR TESTIMONY	
17	Defendants.	ECF Nos. 24, 29, and 42	
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20	Findings and recommendations		
21	Plaintiff has filed a motion to dismiss his case. ECF No. 41. Because defendants have filed		
22	an answer, ECF No. 17, Federal Rule 41 requires a court order for a dismissal at plaintiff's		
23	request. I find dismissal proper and recommend that this case be dismissed without prejudice.		
24	These findings and recommendations are submitted to the U.S. district judge presiding over		
25	the case under 28 U.S.C. § 636(b)(1)(B) and Local Rule 304. Within fourteen days of the service		
26	of the findings and recommendations, the parties may file written objections to the findings and		
27	recommendations with the court and serve a	copy on all parties. That document must be	
28			

1	captioned "Objections to Magistrate Judge's Findings and Recommendations." The presiding	
2	district judge will then review the findings and recommendations under 28 U.S.C. § 636(b)(1)(C).	
3	Order	
4	The settlement conference currently scheduled for October 2 is vacated. ECF Nos. 24, 29.	
5	The order and writ for plaintiff to testify at the conference is also vacated. ECF No. 42.	
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7	IT IS SO ORDERED.	
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9	Dated: <u>September 30, 2019</u> UNITED STATES MAGISTRATE JUDGE	
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12	No. 205	
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