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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
MYSTI S DAILEY,  
  
Defendants.

Case No. 1:18-cv-00346-DAD-EPG

**ORDER DIRECTING THE CLERK OF THE  
COURT TO CLOSE CASE**  
  
(ECF No. 7)

On March 28, 2018, petitioner filed a notice to dismiss this action without prejudice. (ECF No. 7). In light of the notice, the case has ended and is dismissed without prejudice. *See* Fed. R. Civ. P. 41(a)(1)(A)(i); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997); *Concha v. London*, 62 F.3d 1493, 1506 (9th Cir. 1995) (“Even if the defendant has filed a motion to dismiss, the plaintiff may terminate his action voluntarily by filing a notice of dismissal under Rule 41(a)(1).”). Accordingly, the hearing set for May 25, 2018 is VACATED, and the Clerk of the Court is DIRECTED to close this case.

IT IS SO ORDERED.

Dated: March 29, 2018

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE