UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

ROBERT CISNEROS, Plaintiff, v. MORENO, Defendant.	Case No. 1:18-cv-00628-LJO-JDP ORDER CLOSING CASE

Plaintiff Robert Cisneros ("plaintiff") is a state prisoner proceeding *pro se* in this civil rights action brought under 42 U.S.C. § 1983. On August 16, 2019, defendant moved for summary judgment based on a failure to exhaust. ECF No. 19. On November 7, 2019, plaintiff filed a request that the court dismiss his case, agreeing that he did not exhaust his administrative remedies. ECF No. 32. On November 14, the assigned magistrate judge recommended dismissing the case. ECF No. 34. No party has objected. Therefore, the Court will dismiss this case.

Accordingly, IT IS HEREBY ORDERED that:

1. This action is dismissed without prejudice;

2. All pending motions are terminated; and

3. The clerk is directed to close this case.

IT IS SO ORDERED.

Dated: **December 11, 2019**

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE