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

JESSIE MOREHEAD,

Plaintiff,

v.

UNKNOWN,

Defendant.

Case No.: 1:18-cv-01433-SAB (PC)

**ORDER DIRECTING CLERK OF COURT TO
TERMINATE ACTION PURSUANT TO
PLAINTIFF'S NOTICE OF VOLUNTARY
DISMISSAL**

[ECF No. 10]

On September 13, 2018, Plaintiff filed this civil rights action pursuant to 42 U.S.C. § 1983, in the United States District Court for the Eastern District of California. (ECF No. 1.)

On October 17, 2018, the action was transferred to this Court. (ECF No. 6.)

On October 30, 2018, Plaintiff filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(i). At this stage in the proceedings, Plaintiff has the absolute right to dismiss his claims, without prejudice. Duke Energy Trading & Mktg., L.L.C. v. Davis, 267 F.3d 1042, 1049 (9th Cir. 2001). The filing of the notice itself has the effect of closing the action, and the Court no longer has jurisdiction over the claims. Id.

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Accordingly, the Clerk of the Court is HEREBY DIRECTED to terminate this file pursuant to Plaintiff's notice of voluntary dismissal filed on October 30, 2018. Plaintiff is advised that no filing fee will be charged as the dismissal was filed prior to imposition of the filing fee or resolution of in forma pauperis status.

IT IS SO ORDERED.

Dated: November 2, 2018


UNITED STATES MAGISTRATE JUDGE