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7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**
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10 DEREK TATE,

11 Plaintiff,

12 v.

13 S. SULLIVAN,

14 Defendant.
15

Case No. 1:19-cv-00346-AWI-EPG (PC)

ORDER DIRECTING THE CLERK OF
COURT TO CLOSE THE CASE

(ECF NO. 9)

16 On October 7, 2019, Plaintiff filed a notice¹ stating that he voluntarily dismissed this
17 action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). (ECF No. 9).
18 Therefore, this action has been terminated. Fed. R. Civ. P. 41(a)(1)(A)(i); Wilson v. City of San
19 Jose, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is DIRECTED to
20 terminate all pending motions and deadlines and close this case.

21 IT IS SO ORDERED.
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23 Dated: October 9, 2019

24 /s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE

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28 ¹ Although Plaintiff titled the document as a motion to voluntarily dismiss the complaint, the Court
construes the motion as a notice of dismissal.