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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GARY SIMPSON,

NO. 2:03-cv-00591-MCE-GGH P

Plaintiff,

v.

ORDER DISMISSING CASE

SERGEANT THOMAS,

Defendant.

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Pursuant to the parties' stipulation, and in accordance with Federal Rules of Civil Procedure 41(a)(1)(A)(ii) and 68(a), this case is hereby DISMISSED, in its entirety, with prejudice. Given that dismissal, all currently pending motions (Docket Nos. 267, 268, 269 and 282) are DENIED as moot.

The Clerk of Court is directed to close the file.

IT IS SO ORDERED.

Dated: September 17, 2009



MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE