

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAYMOND NELSON,
Plaintiff,
v.
D.L. RUNNELS, et. al.,
Defendant.

Case No. 2:06-CV-1289 LKK KJN P

**NOTICE OF MOTION, MOTION AND
[PROPOSED] ORDER DISMISSING
DEFENDANTS**

TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD HEREIN:

Plaintiff Raymond Nelson, by and through his counsel of record, Kresta Nora Daly of Barth Daly LLP, hereby moves to dismiss with prejudice all remaining defendants in this action: specifically, D.L. Runnels, Warden; M. McDonald, CDW (A); M. Wright, Facility Captain (A); M. Dangler, CCI; Sgt. Amero; Sgt. A. Smith; and Sgt. Willcost.

Dated: March 12, 2014.

By _____/s/ Raymond Nelson_____

Dated: March 12, 2014.

BARTH DALY LLP

By _____/s/ Kresta Nora Daly_____ **KRESTA NORA DALY**

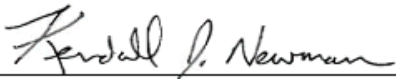
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

IT IS HEREBY ORDERED that defendants' counsel shall notify this court, within seven days, whether any remaining defendant has any objection to his or her dismissal from this action. Should defendants' counsel fail to timely respond, plaintiff's request will be granted pursuant to Rule 41(a)(2), Federal Rules of Civil Procedure, and thereby result in the following: (1) that all remaining defendants in this action be dismissed, with prejudice; and (2) this action being closed.

Dated: March 18, 2014

/nels1289.stip.dsms


KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE