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

JOSEPH DANNY PROPHET

Plaintiff,

No. CIV S-07-2099 GEB KJM PS

vs.

JON P. LIPPSMEYER, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

By order November 30, 2007, plaintiff's amended complaint was dismissed with leave to amend within thirty days. On December 26, 2007, plaintiff filed a document titled "Second Amended Complaint." In that document, however, plaintiff requested that the action be dismissed without prejudice. That request will be honored.

Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice.

DATED: February 8, 2008.

  
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U.S. MAGISTRATE JUDGE

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