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

GENE WOODHAM,

Plaintiff,

No. CIV S-09-0082 WBS GGH P

vs.

RN DATOR, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has requested that this action be dismissed.

Accordingly, because no answer or summary judgment has been filed, plaintiff's request is self-executing, i.e., it is automatically dismissed pursuant to Fed.R. Civ. P. 41(a)

Accordingly, IT IS HEREBY ORDERED that the Clerk close this dismissed case.

DATED: October 15, 2010

/s/ Gregory G. Hollows

GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE

GGH:009/mp
wood0082.59a