

1 SCOTT N. JOHNSON, ESQ., SBN 166952
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10 Attorney for Plaintiff Scott N. Johnson

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

14 SCOTT N. JOHNSON Case No.: CIV.S 09-cv-00145-JAM-GGH
15 Plaintiff,
16 vs. **PLAINTIFF'S REQUEST FOR
17 DISMISSAL OF EVELYN J. RING AND
Proposed ORDER**

18 Evelyn J. Ring, Complaint Filed: JANUARY 16, 2009
19 Defendants
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25 **IT IS HEREBY REQUESTED** by Plaintiff, Scott N. Johnson, that Defendant (Evelyn J. Ring) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to remain open for Plaintiff to file an amended complaint against the correct owner of the property. Defendant (Evelyn J. Ring) is dismissed because this Defendant is deceased.

26 Dated: April 1, 2009

27 /s/Scott N. Johnson

28 SCOTT N. JOHNSON
Attorney for Plaintiff

1 **IT IS SO ORDERED** that Defendant, Evelyn J. Ring, is hereby dismissed WITHOUT prejudice
2 and Plaintiff shall have until April 30, 2009 to file an amended complaint.
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5 Dated: April 2, 2009
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/s/ John A. Mendez
U. S. DISTRICT JUDGE