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Attorney for Plaintiff Scott N. Johnson

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

SCOTT N. JOHNSON

Plaintiff,

vs.

Evelyn J. Ring,

Defendants

Case No.: CIV.S 09-cv-00145-JAM-GGH

**PLAINTIFF'S REQUEST FOR  
DISMISSAL OF EVELYN J. RING AND  
Proposed ORDER**

Complaint Filed: JANUARY 16, 2009

**CASE TO BE REMAIN OPEN TO FILE  
AMENDED COMPLAINT**

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**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.

Dated: April 1, 2009

/s/Scott N. Johnson  
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.

3  
4 Dated: April 2, 2009

/s/ John A. Mendez  
U. S. DISTRICT JUDGE