

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

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

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16 SCOTT N. JOHNSON Case No.: CIV.S 09-cv-00501-MCE-GGH

17 Plaintiff,  
18 vs.  
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**PLAINTIFF'S REQUEST FOR  
DISMISSAL OF WILLIE EDWIN  
ROGERS AND ORDER**

Rosalinda A. Roja, et al, Complaint Filed: FEBRUARY 21, 2009  
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16 Defendants  
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**CASE TO REMAIN OPEN WITH  
REMAINING DEFENDANTS**

IT IS HEREBY REQUESTED by Plaintiff, Scott N. Johnson, that Defendant (Willie Edwin Rogers) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to remain open with regard to the remaining Defendants. Defendant (Willie Edwin Roger) is dismissed because he is deceased.

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PLAINTIFF'S REQUEST FOR DISMISSAL and Proposed ORDER  
CIV: S-09-00501-MCE-GGH

1 Dated: April 2, 2009

/s/Scott N. Johnson

2 SCOTT N. JOHNSON

3 Attorney for Plaintiff

4 **IT IS SO ORDERED.**

5 Dated: April 10, 2009

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7 MORRISON C. ENGLAND, JR  
8 UNITED STATES DISTRICT JUDGE