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

LUIS LORENZO ARMENTERO,

Plaintiff,

No. CIV S-09-0503 JAM KJM P

vs.

MIKE KNOWLES, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff seeks dismissal of this action under Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure. Because plaintiff has provided the court with the notice required under that rule, and because defendants have not yet filed an answer or a motion for summary judgment, this action is DISMISSED.

The court notes that plaintiff also has filed a request for appointment of counsel. His request for dismissal is unequivocal, however, making the request for counsel moot. The findings and recommendations filed on October 19 also are moot.

DATED: November 3, 2010.

  
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U.S. MAGISTRATE JUDGE

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