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

MARC ANTHONY LOWELL ENDSLEY,

Plaintiff,

No. CIV S-09-2311 WBS GGH P

vs.

STEPHEN MAYBERG, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding pro se, has requested that this action be dismissed. Although there is a pending motion to dismiss, defendants have not filed an answer or motion for summary judgment. Pursuant to Fed. R. Civ. P. 41(a), the action is dismissed.

Accordingly, the Clerk of Court shall close this case.

DATED: February 9, 2012

/s/ Gregory G. Hollows
UNITED STATES MAGISTRATE JUDGE

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