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

DOCK MCNEELY,

Petitioner,

No. CIV S-09-2520 WBS GGH P

vs.

S.M. SALINAS, Warden,

Respondent.

ORDER

\_\_\_\_\_ /

Pursuant to the order, filed on May 27, 2010, directing respondent to notify this court whether respondent had any objection to dismissal of this action in light of petitioner's voluntary dismissal request, respondent has timely indicated no objection. Therefore, pursuant to Fed. R. Civ. P. 41(a), the action is dismissed, and IT IS ORDERED that the May 26, 2010, order is vacated, rendering moot respondent's June 1, 2010 (docket # 57), motion for extension of time to respond to that order.

Accordingly, the Clerk of Court shall close this case.

DATED: June 4, 2010

/s/ Gregory G. Hollows  
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UNITED STATES MAGISTRATE JUDGE

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