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

CURTIS HOLLIDAY,

Petitioner,

No. CIV S-09-2792 JAM DAD P

vs.

GARY SWARTHOUT, Warden,

Respondent.

ORDER

\_\_\_\_\_/

Petitioner, a state prisoner proceeding pro se, has requested that this action be dismissed without prejudice. Pursuant to Fed. R. Civ. P. 41(a), petitioner's request shall be honored. See Rule 11, Rules Governing Habeas Corpus Cases Under Section 2254.

Accordingly, IT IS HEREBY ORDERED that this action is dismissed without prejudice.

DATED: March 1, 2010.

  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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