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

XAVIER NAJAR,

No. CIV S-09-2893-CMK-P

Plaintiff,

vs.

ORDER

T. FELKER, et al.,

Defendants.

\_\_\_\_\_ /

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has filed a notice of voluntary dismissal (Doc. 23). Because no response to the complaint has been filed, leave of court is not required and the action is dismissed on plaintiff's notice. See Fed. R. Civ. P. 41(a)(1)(A)(I). The Clerk of the Court is directed to terminate all pending motions and close this file.

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IT IS SO ORDERED.

DATED: May 20, 2010

  
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**CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE

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