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

10 FRANK CHEUNG,

11 Petitioner,

No. CIV S-09-3535 KJM DAD P

12 vs.

13 D.K. SISTO, Warden,

14 Respondent.

ORDER

15 \_\_\_\_\_/  
16 Petitioner, a state prisoner proceeding pro se, has requested that this action be  
17 dismissed. On July 6, 2011, respondent was granted ten days in which to file any objection to  
18 petitioner's request. That time has now passed and respondent has not objected to the requested  
19 dismissal. Accordingly, IT IS HEREBY ORDERED that this action is dismissed without  
20 prejudice. Fed. R. Civ. P. 41(a); see also Rule 11, Rules Governing Habeas Corpus Cases Under  
21 Section 2254.

22 DATED: July 18, 2011.

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25 DAD:8  
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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE