

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

FRANK CHEUNG,

Petitioner,

No. CIV S-09-3535 KJM DAD F

VS.

D.K. SISTO, Warden,

Respondent.

ORDER

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

DATED: July 18, 2011.

Dale A. Drodz
DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE