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

10 GREGORY LANE BURR,

11 Plaintiff,

No. CIV S-10-0120 GEB GGH P

12 vs.

13 ARNOLD SCHWARZENEGGER, et al.,

14 Defendants.

ORDER

15 _____/
16 Plaintiff, a state prisoner proceeding pro se, has requested that this action be
17 dismissed without prejudice. Although this court's findings and recommendations,
18 recommending, inter alia, granting defendants' motion to dismiss, pursuant to nonenumerated
19 Rule 12(b), are pending (and the recommendation was made for dismissal without prejudice),
20 plaintiff has elected to dismiss his case voluntarily. No answer or motion for summary judgment
21 having been filed, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), the action is dismissed.

22 Accordingly, the Clerk of Court shall close this case.

23 DATED: June 16, 2011

24 /s/ Gregory G. Hollows

25 _____
GREGORY G. HOLLOWS
UNITED STATES MAGISTRATE JUDGE

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