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

PELISI FOKETI FONUA,

Plaintiff,

No. CIV S-10-0126 GGH P

vs.

G. REINSEL, et al.,

Defendants.

ORDER

_____/

Plaintiff, a state prisoner proceeding pro se, has requested that this action be dismissed. Pursuant to Fed. R. Civ. P. 41(a), the action is dismissed. In this request, plaintiff also requests that the order granting his request to proceed in forma pauperis and assessing him the filing fee be vacated. Because plaintiff filed this action, he is obligated to pay the filing fee, regardless of whether he voluntarily dismisses the action. 28 U.S.C. §§ 1914(a), 1915(b)(1).

Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court shall close this case;
2. Plaintiff's request to vacate the order granting his request to proceed in forma pauperis is denied.

DATED: April 1, 2010

/s/ Gregory G. Hollows

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UNITED STATES MAGISTRATE JUDGE