

SCOTT N. JOHNSON, ESQ., SBN 166952
DISABLED ACCESS PREVENTS INJURY, INC.
5150 FAIR OAKS BLVD., SUITE 101
PMB #253
CARMICHAEL, CA 95608-5758
TELEPHONE (916) 485-3516
FAX (916) 481-4224
E-MAIL scottnjohnson@comcast.net

Attorney for Plaintiff Scott N. Johnson

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

Scott N. Johnson

Case No.: CIV.S 10-cv-00252-MCE-DAD

Plaintiff,

**PLAINTIFF'S REQUEST FOR
DISMISSAL OF AGNES M. TSUTSUMI;
ORDER**

Gaines Liquor, LLC, et al.

Complaint Filed: FEBRUARY 1, 2010

Defendants

**CASE TO REMAIN OPEN AS TO
REMAINING DEFENDANTS**

IT IS HEREBY REQUESTED by Plaintiff, Scott N. Johnson, that Defendant (Agnes M. Tsutsumi) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41(a)(2). This case is to remain open as to the remaining Defendants. Defendant (Agnes M. Tsutsumi) is dismissed because Plaintiff cannot achieve proper service on this Defendant.

Dated: April 13, 2010

/s/Scott N. Johnson
SCOTT N. JOHNSON
Attorney for Plaintiff

1 IT IS SO ORDERED.
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Dated: April 16, 2010


4 MORRISON C. ENGLAND, JR
5 UNITED STATES DISTRICT JUDGE
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