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

Case No.: CIV.S 10-cv-00999-WBS-JFM

Scott N. Johnson

Plaintiff,

vs.

George S. Suyehiro, et al,

Defendants

**PLAINTIFF'S REQUEST FOR
DISMISSAL OF GEORGE S. SUYEHIRO
AND *Proposed* ORDER**

Complaint Filed: APRIL 25, 2010

**CASE TO REMAIN OPEN WITH
REMAINING DEFENDANTS**

IT IS HEREBY REQUESTED by Plaintiff, Scott N. Johnson, that Defendant (George S. Suyehiro) be and is hereby dismissed **WITHOUT PREJUDICE** pursuant to FRCP 41 (a)(2). This case is to remain open with remaining Defendants. Defendant (George S. Suyehiro) is dismissed because this Defendant is deceased.

Dated: May 19, 2010

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

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IT IS SO ORDERED.

Dated: May 20, 2010



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE