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

PHILLIP CARY PAPPAS,

No. CIV S-10-1210-LKK-CMK-P

Plaintiff,

vs.

ORDER

E. ECK, et al.,

Defendants.

_____ /

Plaintiff, a state prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has filed a notice of voluntary dismissal. Because no response to the complaint has been filed, leave of court is not required and the action is dismissed on plaintiff's notice. See Fed. R. Civ. P. 41(a)(1)(A)(i). The Clerk of the Court is directed to close this file.

IT IS SO ORDERED.

DATED: November 9, 2010



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE