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

10 MICHAEL CHESS,

11 Plaintiff,

No. CIV S-10-1260 GEB KJN (TEMP) P

12 vs.

13 R. QUEZADA, et al.,

14 Defendants.

ORDER

15 \_\_\_\_\_/  
16 Plaintiff, a state prisoner proceeding without counsel, has filed a notice of  
17 voluntary dismissal. See Docket No. 15. Under Federal Rule of Civil Procedure 41(a)(1)(A), a  
18 plaintiff “may dismiss an action without a court order by filing a notice of dismissal before the  
19 opposing party serves either an answer or a motion for summary judgment.” Plaintiff’s notice  
20 meets the requirement of the rule. Therefore, this action has been dismissed.

21 Accordingly, IT IS HEREBY ORDERED that the Clerk of Court designate this  
22 case as “closed.”

23 DATED: January 11, 2011

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25 KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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