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

MICHAEL CHESS,

Plaintiff,

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

vs.

R. QUEZADA, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

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

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

DATED: January 11, 2011

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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