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

JOSEPH WHITAKER,

Plaintiff,

No. CIV S-10-1400 EFB P

vs.

JAFFE, et al.,

Defendants.

ORDER

\_\_\_\_\_ /

Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 72-302 pursuant to 28 U.S.C. § 636(b)(1) and is before the undersigned pursuant to plaintiff's consent. *See* 28 U.S.C. § 636; *see also* E.D. Cal. Local Rules, Appx. A, at (k)(1)-(2).

On October 19, 2010, the undersigned dismissed plaintiff's claims against Doe defendants with leave to amend within 30 days. Plaintiff did not file amended claims against these defendants within the allotted time, so claims against these defendants must be dismissed.

Plaintiff has also filed a motion to voluntarily dismiss defendant Jaffe from the case, stating that he has discovered that defendant Jaffe was not at fault.

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Accordingly, it is hereby ORDERED that:

1. Plaintiff's motion to voluntarily dismiss defendant Jaffe from this case is granted; and
2. His claims against Doe defendants and defendant Jaffe are hereby dismissed.

Dated: February 1, 2011.

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE