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

BRIAN M. GLASGOW,

No. CIV S-10-2858-FCD-CMK

Plaintiff,

vs.

ORDER

BRUCE MUTTER,

Defendant.

_____ /

Plaintiff, proceeding in pro se, brings this civil action. Plaintiff has filed a notice of voluntary dismissal (Doc. 21). Defendant has submitted his statement of non-opposition to plaintiff's request. As 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). All pending motions are therefore moot. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

DATED: May 23, 2011



CRAIG M. KELLISON
UNITED STATES MAGISTRATE JUDGE