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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSEPH J. WELCH, JR.,
Individually and on behalf
of the People of the State
of California,

No. 2:11-cv-01957-MCE-KJN

Plaintiff,

v.

ORDER DISMISSING CASE

WILLIAM C. VICKREY,
Individually and in his
capacity as Administrative
Director of the Administrative
Office of the Courts; THE
SUPREME COURT OF THE STATE OF
CALIFORNIA, Individually and
in their capacity as Supreme
Court Justices; and DOES 1-
300,

Defendants.

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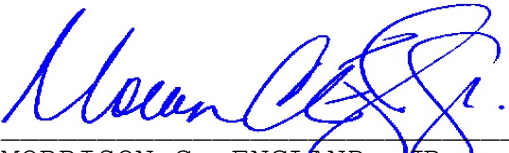
The present case, which challenges the California
judiciary's funding of new courthouse direction, was filed on
July 25, 2011 and has never been served. On June 21, 2012, this
Court issued an Order to Show Cause ("OSC") as to why the action
should not be terminated due to its inactivity.

1 That OSC prompted Plaintiff's counsel, Dennis Fleming, to file,
2 on July 10, 2012, the Motion to Dismiss now before the Court.
3 Attorney Fleming requests a voluntary termination of these
4 proceedings because of the lack of funding and resources
5 sufficient to proceed in a competent matter. (Pl.'s Mot., 1:25-
6 28).

7 Because no party has appeared, under Federal Rule of Civil
8 Procedure 41(a) Plaintiff could have terminated this matter by
9 the filing of a notice of dismissal. The Court will construe
10 Plaintiff's Motion (ECF No. 8) as a request for voluntary
11 dismissal and as such it will be GRANTED. The Clerk of Court is
12 hereby directed to close this file.

13 IT IS SO ORDERED.

14 Dated: August 21, 2012

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17 MORRISON C. ENGLAND, JR.
18 UNITED STATES DISTRICT JUDGE
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