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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARTHUR EUGENE TYES,  
Petitioner,  
v.  
L. S. McEWEN, Warden,  
Respondent.

No. 2:12-cv-1755 TLN DAD P

ORDER

On March 24, 2014, petitioner filed a motion to voluntarily dismiss this action. Petitioner is advised that, on October 2, 2013, the court granted respondent's motion to dismiss petitioner's application for a writ of habeas corpus as untimely. The court entered judgment on the same day. It appears from the docket in this case that petitioner's copy of the court's order and judgment were returned as undeliverable. However, the court properly served petitioner with the order and judgment at his address of record. In any event, this action is now closed. Accordingly, the court will deny petitioner's motion to dismiss the case as having been rendered moot.

IT IS HEREBY ORDERED that:

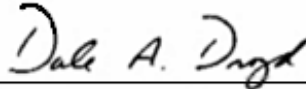
1. Petitioner's motion to dismiss (Doc. No. 30) is denied;
2. The Clerk of the Court is directed to serve petitioner with a copy of the court's October 2, 2013 order and judgment (Doc. Nos. 28 & 29); and

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3. Further documents filed by petitioner since the closing date of this case will be disregarded. No orders will issue in response to future filings.

Dated: April 4, 2014



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DALE A. DROZD  
UNITED STATES MAGISTRATE JUDGE

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