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| 8 | UNITED STATES DISTRICT COURT | |
| 9 | FOR THE EASTERN DISTRICT OF CALIFORNIA | |
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| 11 | KYLE AVERY, N | Jo. 2:14-cv-0287 DAD P |
| 12 | Plaintiff, | |
| 13 | v. <u>C</u> | DRDER |
| 14 | TIM VIRGA, et al., | |
| 15 | Defendants. | |
| 16 | | |
| 17 | Plaintiff, a state prisoner proceeding pro se, has requested that this action be dismissed. | |
| 18 | Pursuant to Fed. R. Civ. P. 41(a), plaintiff's request shall be honored. | |
| 19 | Accordingly, IT IS HEREBY ORDERED that this action is dismissed. | |
| 20 | Dated: December 15, 2014 | |
| 21 | Dale A. Drogt | |
| 22 | /kly UNITED | DROZD STATES MAGISTRATE JUDGE |
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