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

JERRY WIMPEY,

No. 2:14-CV-2117-TLN-CMK

Plaintiff,

vs.

ORDER

NCO FINANCIAL SYSTEMS, INC.,

Defendant.

\_\_\_\_\_ /

Plaintiff, who is proceedings pro se, brought this action in state court. The case was removed to this court by defendant. Pending before the court is plaintiff's motion for voluntary dismissal of the entire action (Doc. 6). Because no answer to complaint or motion for summary judgment 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). The Clerk of the Court is directed to close this file and terminate defendant's now moot motion to dismiss (Doc. 5) as a pending motion.

IT IS SO ORDERED.

DATED: October 7, 2014

  
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**CRAIG M. KELLISON**  
UNITED STATES MAGISTRATE JUDGE