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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GERROD LONZELL HERNDON,

Plaintiff,

v.

RIO CONSUMNES CORRECTIONAL
CENTER,

Defendants.

No. 2:15-cv-2415 KJM AC P

ORDER

On December 28, 2015, the Clerk of the Court filed a document received from plaintiff, a current state and former county prisoner proceeding pro se, in which he stated the following: “[‘Has no further argument’]. ‘suspend judgment to further information. Case closed. please thank you.’” ECF No. 7 (brackets in original). Plaintiff was ordered to clarify for the court, within twenty-one days, whether he was attempting to voluntarily dismiss this case. ECF No. 8. Plaintiff was advised that if he failed to respond to the order, the court would understand his silence to mean that he wanted to dismiss his case. Id. The twenty-one day period has passed and plaintiff has not responded to the order.¹

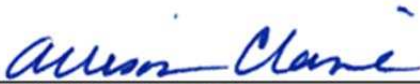
Plaintiff shall be afforded a final opportunity to clarify for the court whether he is in fact

¹ Court records show that the order was initially returned as undeliverable because it was sent to plaintiff’s previous address of record. The order was re-served on February 1, 2016, to his then address of record and has not been returned.

1 attempting to dismiss this case. Plaintiff's continued silence on the matter will be understood to
2 mean that he wishes to dismiss this case.

3 Accordingly, IT IS HEREBY ORDERED that within twenty-one days of service of this
4 order, plaintiff must complete the attached form notifying the court whether he wants to dismiss
5 his case. If plaintiff does not file the required notice, the court will understand plaintiff's silence
6 to mean that he wants to dismiss his case and it will be dismissed.

7 DATED: March 11, 2016

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10 ALLISON CLAIRE
11 UNITED STATES MAGISTRATE JUDGE
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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

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Plaintiff,
v.
RIO CONSUMNES CORRECTIONAL
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Defendants.

No. 2:15-cv-2415 KJM AC P

NOTICE RE: VOLUNTARY DISMISSAL

Check one:

_____ Plaintiff Gerrod Lonzell Herndon, proceeding pro se, **wants** to dismiss the complaint in this case without prejudice.

_____ Plaintiff Gerrod Lonzell Herndon, proceeding pro se, **does not want** to dismiss this case.

DATED: _____

GERROD LONZELL HERNDON
Plaintiff pro se