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

JOAQUIN MARTINEZ,
Plaintiff,
v.
J. LIZARRAGA, et al.,
Defendants.

No. 2:16-CV-0831-JAM-DMC-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has filed a notice of voluntary dismissal. Because no answer 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). All pending motions (Docs. 29 and 30) are denied as moot and the Clerk of the Court is directed to close this file.

IT IS SO ORDERED.

Dated: February 4, 2019



DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE