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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

GREGORY ALLEN TUCKER,  
Petitioner,  
v.  
JOSE GASTELO,  
Respondent.

No. 2:18-cv-0035 TLN KJN P


ORDER

Petitioner, a state prisoner proceeding pro se, requested that this action be dismissed. On November 8, 2019, respondent filed a statement of non-opposition to the dismissal. Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, petitioner’s request shall be honored.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner’s request (ECF No. 41) is granted.
2. This action is dismissed without prejudice. Fed. R. Civ. P. 41(a); see also Rule 12, Rules Governing Habeas Corpus Cases Under Section 2254.
3. The Clerk of the Court shall terminate all pending motions and close this action.

Dated: November 21, 2019

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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