1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 ROBBIE DAVIS, No. 2:18-cv-0090-TLN-EFB P 12 Plaintiff. 13 **ORDER** v. 14 R. RACKLEY, Warden, et al., 15 Defendants. 16 17 Plaintiff is a state prisoner proceeding without counsel in an action brought under 42 18 U.S.C. § 1983. Once again, he has requested that he be permitted to voluntarily dismiss this 19 action on the condition that the filing fee be refunded to him. ECF No. 24; see also ECF Nos. 12 20 & 13. 21 Plaintiff's request is denied. If plaintiff no longer wishes to pursue this action, he may 22 voluntarily dismiss it without prejudice by filing a notice of dismissal in accordance with Rule 23 41(a)(1)(A) of the Federal Rules of Civil Procedure. Even if plaintiff chooses to voluntarily 24 dismiss this action, he remains obligated to pay the entire filing fee "in increments." Williams v. 25 Paramo, 775 F.3d 1182, 1185 (9th Cir. 2015); see also 28 U.S.C. § 1915(b)(1) & (2); Taylor v. 26 Delatoore, 281 F.3d 844, 847 (9th Cir. 2002) ("Under the PLRA, all prisoners who file IFP civil 27 actions must pay the full amount of the filing fee."). 28 ///// 1

1	Accordingly, IT IS HEREBY ORDERED that plaintiff's March 2, 2020 request (ECF No.
2	24) is denied. If plaintiff no longer wishes to pursue this action, he may voluntarily dismiss it
3	without prejudice by filing a notice of dismissal in accordance with Rule 41(a)(1)(A) of the
4	Federal Rules of Civil Procedure.
5	DATED: March 9, 2020.
6	EĎMUND F. BŘENNAN UNITED STATES MAGISTRATE JUDGE
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