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28UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

KIM Y. TREVILLION,

Plaintiff,

v.

HARRY E. DILLON, et al.,

Defendants.

No. 11-CV-4099 NJV

ORDER REGARDING NOTICE OF
VOLUNTARY DISMISSAL
(Doc. 32.)

This is a civil rights action in which Plaintiff is proceeding *pro se*. On January 27, 2012, Plaintiff filed a notice of voluntary dismissal of this action without prejudice pursuant to Rule 41(a)(1)(A), Federal Rules of Civil Procedure. (Doc. 32.) Because Plaintiff has previously voluntarily dismissed a federal action involving the same claims against the same defendants, *Trevillion v. Dillon*, 11-CV-4474 PJH, a voluntary dismissal of the present action will operate as an adjudication on the merits. Rule 41(a)(1)(B). Therefore, any voluntary dismissal of the present action will be, in effect, a dismissal with prejudice.

The Court will not enter a dismissal in this case until February 10, 2012. If neither party has filed a notice with the Court by that date, indicating an objection, the Court will dismiss this case with prejudice.

IT IS SO ORDERED.

Dated: January 30, 2012

NANDOR J. VADAS
United States Magistrate Judge

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

KIM Y. TREVILLION,
Plaintiff,

v.

HARRY E. DILLON, et al.,
Defendants.

No. 11-CV-4099 NJV

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on January 30, 2012, I served a true and correct copy of the attached by placing said copy in a postage paid envelope addressed to the person listed below, by depositing said envelope in the U.S. Mail.

Kim Y. Trevillion
2031 F Street
Apt. 1
Eureka, CA 95501-3773

Dated: January 30, 2012

Linn Van Meter

Linn Van Meter
Administrative Law Clerk to the
Honorable Nandor J. Vadas