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6
 7 UNITED STATES DISTRICT COURT FOR THE
 8 NORTHERN DISTRICT OF CALIFORNIA

9
 10 PEDRO MINJARES GARCIA,

No. CV 09-3573 WHA

11 Plaintiff,

PLAINTIFF'S MOTION FOR VOLUNTARY
DISMISSAL; [~~PROPOSED~~] ORDER

12
 13 v.

14 MICHAEL AYTES ET AL.,

15 Defendants.
 16

17 Pursuant to Federal Rule of Civil Procedure 41, Plaintiff, Pedro Minjares Garcia, through
 18 counsel, requests that his complaint for relief under the Administrative Procedure Act, currently
 19 pending before the Court, be dismissed without prejudice. Because Defendants have accepted
 20 his application for asylum, Mr. Minjares is no longer alleging that the Defendants are refusing to
 21 accept his application.

22 WHEREFORE, Plaintiff prays that this Court allow him to voluntarily dismiss his
 23 complaint, without prejudice.
 24
 25
 26
 27

1 DATED: September 11, 2009

/s/

2 Robert B. Jobe
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6 (415) 956-5513

Attorney for Plaintiff

7 **[PROPOSED] ORDER**

8 IT IS HEREBY ORDERED that Plaintiff's motion for dismissal of the action without
9 prejudice be granted.

10
11 DATED: September 17, 2009

12 WILLIAM H. ALSUP
13 UNITED STATES DISTRICT JUDGE

