Grant Doc. 5

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re CHRIS GRANT, G-60747, Petitioner.	)	No. C 10-3397 CRB (PR) ORDER OF DISMISSAL

Petitioner has filed a letter requesting that the court "dismiss the action, and close the file." Docket # 4. Petitioner's letter is construed as a notice of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1) and, pursuant thereto, the above-captioned matter is DISMISSED without prejudice. See American Soccer Co. v. Score First Enters., 187 F.3d 1108, 1110 (9th Cir. 1999) (plaintiff's "absolute right" to dismiss his action voluntarily before defendants serve answer or motion for summary judgment leaves no role for court to play).

The clerk shall close the file and terminate all pending motions as moot.

SO ORDERED.

DATED: Aug. 26, 2010

CHARLES R. BREYER
United States District Judge

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