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

JERRY E. POLLARD, D-34783,

Plaintiff(s),

vs.

J. RODRIGUEZ,

Defendant(s).

No. C 11-4528 CRB (PR)

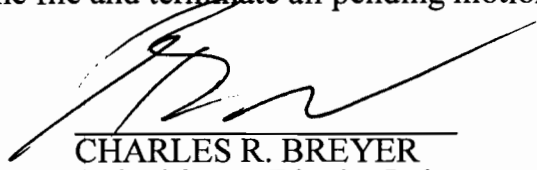
ORDER OF DISMISSAL

Plaintiff has filed a motion for voluntary dismissal which the court construes 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 the defendants serve an answer or a motion for summary judgment leaves no role for the court to play).

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

SO ORDERED.

DATED: 2/17/12



CHARLES R. BREYER
United States District Judge