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

JONATHAN L. MACKSON, SR.,

No. C 11-00868 SBA (PR)

Plaintiff,

**ORDER DIRECTING CLERK OF
COURT TO TERMINATE ACTION**

v.

RANDY GROUNDS, et al.,

Defendants.

Pursuant to the notice of voluntary dismissal of this action filed by Plaintiff on January 11, 2012, this action is terminated. See Fed. R. Civ. P. 41(a)(1)(A)(i) ("[A]n action may be dismissed by the plaintiff without order of the court . . . by filing a notice of dismissal."); Hamilton v. Shearson-Lehman Am. Exp. Inc., 813 F.2d 1532, 1534-1536 (9th Cir. 1987) (Rule 41(a)(1)(A)(i) does not require leave of court to dismiss the action). The dismissal is without prejudice. See Fed. R. Civ. P. 41(a)(1)(B) (unless plaintiff's notice of dismissal states otherwise, it is deemed to be "without prejudice"); Humphreys v. United States, 272 F.2d 411, 412 (9th Cir. 1959).

The Clerk of the Court shall close the file. This Order terminates Docket no. 23.

IT IS SO ORDERED.

DATED: 1/18/12


SAUNDRA BROWN ARMSTRONG
United States District Judge

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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

JONATHAN L MACKSON SR,

Plaintiff,

v.

/ et al,

Defendant.

Case Number: CV11-00868 SBA

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 18, 2012, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jonathan L. Mackson D-98163
Cedar Hall A-107L
P.O. Box 600
Chino, CA 91708

Dated: January 18, 2012

Richard W. Wieking, Clerk
By: LISA R CLARK, Deputy Clerk