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\*\*E-Filed 10/2/2009\*\*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

CHERYL PATITO,

Plaintiff,

v.

INDYMAC BANK F.S.B; MTC FINANCIAL INC.,  
DBA TRUSTEE CORPS; MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS, INC.;  
and DOES 1-30, inclusive,

Defendants.

Case Number 5:09-CV-03462 JF (PVT)

**ORDER RE MOTION FOR  
WITHDRAWAL OF CASE FROM  
FEDERAL COURT WITHOUT  
PREJUDICE**

Re: Docket No. 11

Plaintiff Cheryl Patito, proceeding *pro se*, moves for “Withdrawal of Case from the Federal Court without prejudice pursuant to Rule 10.7.” It appears that Plaintiff may have intended to file a motion for voluntary dismissal pursuant to Federal Rule of Civil Procedure Rule 41(a), and the Court will treat Plaintiff’s motion as such. The motion is unopposed, and Defendants have not filed an answer or dispositive motion. If Plaintiff did not intend to file for voluntary dismissal, she should contact the Court as soon as possible following receipt of this Order. The Clerk shall close the file.

**IT IS SO ORDERED.**

Case Number 5:09-CV-03462 JF (PVT)  
ORDER RE MOTION OF WITHDRAWAL OF CASE FROM FEDERAL COURT WITHOUT PREJUDICE  
(JFLC1)

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DATED: 10/2/09



JEREMY FOCHEL  
United States District Judge

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This Order was served on the following persons:

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