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

LARRY JAMES DEROSSETT, JR.,)
)
Plaintiff,)
)
v.)
)
CORRECTIONAL TRAINING FACILITY,)
)
Defendant.)
_____)

No. C 10-4886 LHK (PR)
ORDER OF DISMISSAL

On October 28, 2010, Plaintiff, currently housed at the Correctional Training Facility, and proceeding *pro se*, filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On March 30, 2011, Plaintiff filed a notice of voluntary dismissal. Plaintiff may voluntarily dismiss his complaint without order of this Court if he files his notice before Defendants serve an answer or motion for summary judgment. *See* Fed. R. Civ. P. 41(a)(1)(i); *American Soccer Co. v. Score First Enters.*, 187 F. 3d 1108, 1110 (9th Cir. 1999) (noting that a plaintiff has an “absolute right” to dismiss his action voluntarily before defendant serves an answer or a motion for summary judgment). Accordingly, this action is DISMISSED without prejudice. The Clerk shall terminate all pending motions and close the file.

IT IS SO ORDERED.

DATED: 4/11/11



LUCY H. KOH
United States District Judge