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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

JOHN JEFFERSON VITALICH,  
Appellant,  
v.  
THE BANK OF NEW YORK, et al.,  
Appellees.

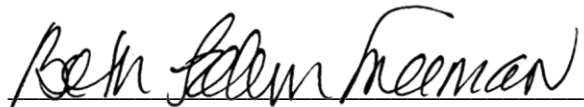
Case No. 16-cv-03867-BLF

**ORDER GRANTING APPELLANT'S  
REQUEST FOR VOLUNTARY  
DISMISSAL OF APPEAL; DISMISSING  
APPEAL; AND DIRECTING CLERK  
TO CLOSE FILE**

Appellant's Request for Voluntary Dismissal of this appeal (ECF 22) is GRANTED. The appeal is DISMISSED. The Clerk shall close the file.

**IT IS SO ORDERED.**

Dated: January 10, 2017



BETH LABSON FREEMAN  
United States District Judge