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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**


RODNEY BERNARD BARNO,  
Petitioner,  
vs.  
ROBERT J. HERNANDEZ,  
Respondent.

CASE NO. 08cv2439 WQH (AJB)  
ORDER

HAYES, Judge:

Pursuant to Petitioner’s Notice of Dismissal (Doc. # 55), the case is DISMISSED without prejudice. The Clerk of the Court shall close the case. Petitioner’s Motion for Return of Lodged Exhibits (Doc. # 49) is GRANTED. The Clerk of the Court shall send Petitioner a copy of his lodged exhibits.

DATED: December 10, 2009

  
**WILLIAM Q. HAYES**  
United States District Judge