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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

Michael Damon Rippo,

Petitioner,

v.

William Gittere, et al.,

Respondents.

Case No. 2:07-cv-00507-APG-VCF

ORDER

In this capital habeas corpus proceeding, petitioner Michael Rippo has filed a notice of voluntary dismissal under Fed. R. Civ. P. 41(a)(1)(A)(i). ECF No. 90. Respondents have not filed an answer or a motion for summary judgment, so the notice must be given effect. *See Am. Soccer Co. v. Score First Enterprises, a Div. of Kevlar Indus.*, 187 F.3d 1108, 1112 (9th Cir. 1999).

I THEREFORE ORDER this case dismissed without prejudice.

DATED THIS 23<sup>rd</sup> day of February, 2021.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE