

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BRECK W. SMITH, )  
 )  
 Petitioner, )  
 )  
 vs. )  
 )  
 D.W. NEVEN, *et al.*, )  
 )  
 Respondents. )  
 /

Case No. 2:11-cv-00556-RLH-CWH

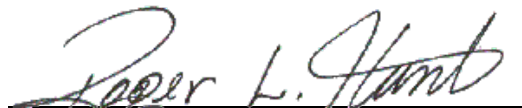
**ORDER**

This closed action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. By order filed September 22, 2011, this case was consolidated with case number 2:10-cv-1596-PMP-PAL, and the instant case was closed. (ECF No. 15).

Petitioner’s motion to voluntarily dismiss the instant action is moot.

Accordingly, petitioner’s motion to voluntarily dismiss this action (ECF No. 15) is **DENIED AS MOOT.**

Dated this 23<sup>rd</sup> day of October, 2013.

  
\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE