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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

TIMOTHY WENDELL GRIMALDI,

Petitioner,

vs.

E.K. McDANIEL, *et al.*,

Respondents.

3:10-cv-00322-RCJ-RAM

**ORDER**

This 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. On October 15, 2010, petitioner filed a notice of voluntary dismissal of this action. The Court will dismiss this action without prejudice, pursuant to Rule 41 of the Federal Rules of Civil Procedure.

**IT IS THEREFORE ORDERED** that this action is **DISMISSED** without prejudice pursuant to petitioner's notice of voluntarily dismissal. All pending motions are **DENIED**. The Clerk shall enter judgment accordingly.

DATED this 29th day of November, 2010.

  
UNITED STATES DISTRICT JUDGE