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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

FRANK D'AGOSTINO,

v.

DR. KAREN GEDNEY, et al.,

Defendants.

Case No. 3:17-cv-00101-MMD-WGC

ORDER

Before the Court is Plaintiff's motion for voluntary dismissal. (ECF No. 22.) Plaintiff asserts that he seeks dismissal because of his realization that he had not exhausted his administrative remedies before filing this action. (Id.) Defendant does not oppose. (ECF No. 23.) Good cause appearing, Plaintiff's motion (ECF No. 22) is granted.

It is therefore ordered that this action is dismissed without prejudice.

It is further ordered that the part of the June 4, 2018 Order (ECF No. 13 at 2, ¶ 3) directing the Nevada Department of Corrections to assess payment of the filing fee from Plaintiff's account is vacated.

The Clerk is directed to close this case.

DATED THIS 19th day of July 2018.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE