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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

VALENTIN A. CORRALES,

Petitioner,

v.

JOHN HENLEY, *et al.*,

Respondents.


Case No. 3:24-cv-00071-MMD-CLB

ORDER

In this habeas case under 28 U.S.C. § 2254, Petitioner has filed a “Notice of Voluntary Dismissal of This Action Without Prejudice.” (ECF No. 16.) Voluntary dismissals are permitted Federal Rule of Civil Procedure 41(a)(1). *See Am. Soccer Co. v. Score First Enters.*, 187 F3d 1108, 1110 (9th Cir. 1999) (plaintiff’s “absolute right” to dismiss his action voluntarily before defendants serve an answer or a motion for summary judgment leaves no role for the court to play); *see also Hilton v. Braunskill*, 481 U.S. 770, 776 n.5 (1987) (Federal Rules of Civil Procedure may be applied to habeas corpus petitions filed under 28 USC § 2254 as long as they are not inconsistent with the Rules Governing Habeas Corpus Cases Under § 2254).

It is therefore ordered that this case is dismissed without prejudice

DATED THIS 10th day of May 2024.


MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE