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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DONALD R. LEACH,

Plaintiff,

vs.

TOM CAREY, T. DREW,
D. SCHROEDER, and HAWS,

Defendants.

1:00-cv-06139-LJO-GSA PC

ORDER DISMISSING CASE WITH PREJUDICE
UNDER RULE 41(a)(1)(A)(ii)

ORDER FOR CLERK TO CLOSE CASE

_____ /

This is a civil rights action filed pursuant to 42 U.S.C. § 1983 by Plaintiff Donald R. Leach (“Plaintiff”), a state prisoner proceeding pro se. Plaintiff is presently incarcerated at the Kern Valley State Prison in Delano, California. Plaintiff filed the Complaint commencing this action on August 2, 2000. (Doc. 1.) On December 17, 2010, Plaintiff and Defendants participated in settlement proceedings before Magistrate Judge Jennifer L. Thurston, and the case was settled. (Doc. 125.)

On December 21, 2010, Plaintiff and Defendants filed a stipulation to voluntarily dismiss this action with prejudice, as to all Defendants, pursuant to Rule 41(a)(1)(A)(ii). (Doc. 126.) Under Rule 41(a)(1)(A)(ii), "the plaintiff may dismiss an action without a court order by filing a

1 stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii).

2 All of the parties to this action have signed the stipulation.

3 Accordingly, IT IS HEREBY ORDERED that:

4 1. This action is dismissed in its entirety, with prejudice, as to all Defendants,
5 pursuant to Rule 41(a)(1)(A)(ii); and

6 2. The Clerk of Court is directed to close this case and serve a copy of this order on
7 Magistrate Judge Thurston.

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9 IT IS SO ORDERED.

10 Dated: December 30, 2010

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE

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