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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

JOHN WESLEY WILLIAMS,

CASE NO. 1:06-cv-01535-SMS PC

Plaintiff,

ORDER DISMISSING ACTION, WITH  
PREJUDICE, PURSUANT TO FED. R. CIV.  
PROC. 41(a)(1)(A)(ii)

v.

JEANNE WOODFORD,

(ECF No. 103)

Defendants.

\_\_\_\_\_  
Plaintiff John Wesley Williams (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on the first amended complaint, filed April 21, 2008, against Defendant T. Vasquez for violation of the First Amendment. Defendant Vasquez filed an answer on December 3, 2009. On July 13, 2011, the parties submitted a stipulation to dismiss this action with prejudice.

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) “the plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” The dismissal is without prejudice unless the stipulation states otherwise. Fed. R. Civ. Proc. 41(a)(1)(B). The stipulation is signed by the parties and states the dismissal is with prejudice.

Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), it is HEREBY ORDERED that this action is DISMISSED, with prejudice, and all pending motions are terminated. IT IS SO ORDERED.

**Dated: July 26, 2011**

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE