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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 KELVIN X. SINGLETON,

12 Plaintiff,

13 vs.

14 A. HEDGEPATH, et al.,

15 Defendants.
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1:08-cv-00095-EPG-PC

ORDER GIVING FULL EFFECT TO
STIPULATION TO DISMISS CASE, WITH
PREJUDICE, UNDER RULE 41
(ECF No. 276.)

ORDER FOR CLERK TO CLOSE CASE

17 Kelvin X. Singleton (“Plaintiff”) is a state prisoner proceeding with counsel in this civil
18 rights action brought pursuant to 42 U.S.C. § 1983. This case now proceeds with Plaintiff’s
19 Second Amended Complaint filed on February 12, 2009, against defendants Chief Medical
20 Officer (CMO) A. Youssef; S. Lopez, M.D.; J. Akanno, M.D.; S. Qamar, M.D.; Dr. Vasquez,
21 M.D.; Registered Nurse II (RN) Ali; and RN Wright-Pearson (collectively, “Defendants”), on
22 Plaintiff’s claims for deliberate indifference to his serious medical needs in violation of the
23 Eighth Amendment, for delay in providing effective treatment for Plaintiff’s back pain, and
24 failure to respond to Plaintiff’s eye pain and swelling. (ECF No. 26.)

25 The parties to this action have consented to Magistrate Judge jurisdiction under 28
26 U.S.C. 636(c), and on December 21, 2015, this case was reassigned to Magistrate Judge Erica
27 P. Grosjean for all further proceedings, including trial and entry of final judgment. (ECF No.
28 263.)

1 On May 27, 2016, a stipulation for voluntary dismissal with prejudice was filed with the
2 Court, containing the signatures of Plaintiff and Counsel for Defendants. (ECF No. 276.) The
3 stipulation states that Plaintiff Kelvin X. Singleton and Defendants Ali, Akanno, Lopez,
4 Qamar, Vazquez, Wright-Pearson, and Youssef have resolved this case in its entirety and
5 therefore stipulate to a dismissal of this action with prejudice under Federal Rule of Civil
6 Procedure 41(a)(1)(A)(ii).

7 Federal Rule of Civil Procedure 41(a)(1)(ii) allows plaintiffs to “dismiss an action
8 without a court order by filing a stipulation of dismissal signed by all parties who have
9 appeared.” The stipulation filed on May 27, 2016 is signed by all parties who have appeared in
10 this case. Therefore, the parties’ stipulation is given full force and effect, and this case is
11 dismissed with prejudice. The Clerk shall close the case.

12 Accordingly, IT IS HEREBY ORDERED that:

- 13 1. The parties’ stipulation for voluntary dismissal of this action with prejudice is
14 effective as of the date it was filed;
- 15 2. This case is DISMISSED WITH PREJUDICE; and
- 16 3. The Clerk of the Court is directed to close this case.

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18 IT IS SO ORDERED.

19 Dated: June 1, 2016

20 /s/ Eric P. Gray
21 UNITED STATES MAGISTRATE JUDGE
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