

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

LUIS ROBERTO MARTINEZ,

CASE NO. 1:09-cv-01994-OWW-SMS PC

Plaintiff,

ORDER DIRECTING CLERK OF THE COURT
TO CLOSE THIS CASE PURSUANT TO
PLAINTIFF'S NOTICE OF VOLUNTARY
DISMISSAL

v.

MERCY HOSPITAL OF
BAKERSFIELD, et al.,

(Doc. 13)

Defendants.

On March 14, 2011, Plaintiff Luis Roberto Martinez filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(i). At this stage in the proceedings, Plaintiff has the absolute right to dismiss his claims, without prejudice. Duke Energy Trading and Marketing, L.L.C. v. Davis, 267 F.3d 1042, 1049 (9th Cir. 2001). The filing of the notice itself has the effect of closing the action, and the Court no longer has jurisdiction over the claims. Id.

Accordingly, the Clerk of the Court is HEREBY DIRECTED to close this file pursuant to Plaintiff's notice of voluntary dismissal filed on March 14, 2011.

IT IS SO ORDERED.

Dated: March 16, 2011**/s/ Oliver W. Wanger**
UNITED STATES DISTRICT JUDGE