UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

GREGORY WILLIAMS,
 	
        Plaintiff,
 	
  v.
 	
CITY OF MERCED, OFFICER PINNEGAR,
 	
        Defendants.
	Case No. 1:10-cv-01999-MJS
	
	ORDER DISCHARGING ORDER TO SHOW CAUSE RE SANCTIONS
	
	(ECF No. 89)
	
	ORDER GRANTING VOLUNTARY DISMISSAL OF ACTION UPON SETTLEMENT
	
	(ECF No. 90)
	
	CLERK SHALL CLOSE THE CASE

Plaintiff Gregory Williams filed this civil rights action on October 22, 2010 pursuant to 42 U.S.C. § 1983. On August 28, 2013, a settlement conference was held before Magistrate Judge Stanley A. Boone. Settlement was reached and the parties were ordered to file dispositive documents with the Court by September 18, 2013. (ECF No. 88.) The September 18th deadline passed without such documents, or a request for extension of time, being filed.

On October 8, 2013, the parties were ordered to appear on October 30, 2013 at 9:30 a.m. in Courtroom 9, U.S. District Court for the Eastern District of California in Fresno, before Magistrate Judge Boone, to show cause why sanctions should not be imposed for failure to file dispositional documents upon settlement by the date prescribed by the Court.

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1 Plaintiff responded that payment of the settlement amount had been made, settlement

2 agreement and release had been fully executed, and requested dismissal of the action with

3 prejudice pursuant to Rule 41. (ECF No. 90.)

4 Under Fed. R. Civ. P. 41(a)(2), a court may dismiss an action at plaintiff's request on

5 terms and conditions considered proper by the court.

6 Accordingly, it is HEREBY ORDERED that:

7 1. The order to show cause re sanctions (ECF No. 89) is DISCHARGED and the

8 October 30, 2013 hearing date VACATED;

9 2. Pursuant to Fed. R. Civ. P. 41, this action is hereby DISMISSED WITH

10 PREJUDICE (ECF No. 90); and

11 3. The Clerk of the Court shall CLOSE the case.

IT IS SO ORDERED.

Dated: October 9, 2013   /s/ *Michael J. Seng*
                                    UNITED STATES MAGISTRATE JUDGE

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