

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MATTHEW JAMES GRIFFIN,  
Plaintiff,  
v.  
CALDWELL,  
Defendant.

Case No.: 1:11-cv-00210-DAD-BAM (PC)  
ORDER DIRECTING CLERK OF COURT TO  
CLOSE CASE PURSUANT TO  
STIPULATION FOR VOLUNTARY  
DISMISSAL, WITH PREJUDICE  
(ECF No. 88)

Plaintiff Matthew James Griffin is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On December 8, 2017, defense counsel filed a stipulation for voluntary dismissal with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (ECF No. 88.) The stipulation is signed and dated by Plaintiff and counsel for Defendant Caldwell, indicating that the case has been resolved in its entirety, that each side shall bear their own costs and attorney’s fees, and that there is no prevailing party.

In light of parties’ stipulation for voluntary dismissal, this action is terminated by operation of law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). Each party shall bear his or her own litigation costs and attorney’s fees. The Clerk of the Court is directed to terminate all pending motions and deadlines, and close this case.

IT IS SO ORDERED.

Dated: December 11, 2017

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE