

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

KEVIN DARNELL BRYANT,  
Plaintiff,  
v.  
GALLAGHER, et al.,  
Defendants.

Case No. 1:11-cv-00446-BAM (PC)  
ORDER OF DISMISSAL  
(ECF No. 385)  
ORDER DIRECTING CLERK OF COURT TO  
CLOSE CASE

Plaintiff Kevin Darnell Bryant (“Plaintiff”) is a state prisoner proceeding in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 26, 2017, defense counsel filed a stipulation for voluntary dismissal with prejudice, signed by counsel for both parties, indicating this matter has been resolved in its entirety. The parties set forth the material terms of the settlement agreement, and requested that the Court retain jurisdiction for twelve months to enforce any term of the settlement agreement. (ECF No. 385.)

Accordingly, IT IS HEREBY ORDERED that:

1. This action is dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2). Each party is to bear his own costs, attorney’s fees, and expenses of any type, except as provided in the settlement agreement. There is no prevailing party in this action;

///

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

2. The Court shall retain jurisdiction for twelve months from the date of entry of this order for the sole purpose of enforcement of the terms of the settlement agreement between the parties; and

3. The Clerk of the Court is directed to terminate all pending motions and deadlines, and close this case.

IT IS SO ORDERED.

Dated: September 27, 2017

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE