

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

TRACY TAYLOR,

Plaintiff,

v.

MATTHEW CATE, et al.,

Defendants.

CASE NO: 1:11-cv-01957-LJO-GBC (PC)

ORDER DIRECTING CLERK OF THE COURT
TO CLOSE ACTION PURSUANT TO
PLAINTIFF’S NOTICE OF VOLUNTARY
DISMISSAL

Doc. 14

_____/ ALL PENDING MOTIONS ARE MOOT

On November 28, 2011, Plaintiff Tracy Taylor (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging failure to provide orthopedic boots from the vendor of Plaintiff’s choice and denial of orthotics and orthopedic slippers on the grounds that medical staff has not established medical necessity. Compl. at 5-6, 8, Doc. 1.

On August 22, 2012, Plaintiff filed a notice of voluntary dismissal of this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). An action may be dismissed by a stipulation of dismissal signed by all parties who have appeared. Fed. R. Civ. P. 41(a)(1)(A)(ii). Plaintiff is the only party to appear in this action. Pursuant to this notice, the Court HEREBY ORDERS the Clerk of Court to close this action. This dismissal is without prejudice.

Furthermore, it is HEREBY ORDERED that all pending motions are moot.

IT IS SO ORDERED.

Dated: August 24, 2012

/s/ Lawrence J. O’Neill
UNITED STATES DISTRICT JUDGE