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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 KEVIN D. BRYANT,

12 Plaintiff,

13 vs.

14 R. ROMERO, et al.,

15 Defendants.  
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1:12-cv-02074-DAD-GSA-PC

ORDER OF DISMISSAL  
(ECF No. 211.)

ORDER DIRECTING CLERK OF COURT  
TO CLOSE CASE

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

20 On July 18, 2017, the parties informed the court that they had reached a settlement agreement  
21 involving this case and Bryant v. Gallagher (E.D. Cal. No. 1:11-cv-00446-BAM (PC)). (ECF  
22 No. 209 at 1:18-20.) The parties reached a global settlement agreement on July 17, 2017, but  
23 were still working out the specific details of the settlement. (Id. at 27-28.)

24 On September 8, 2017, defense counsel filed a stipulation for voluntary dismissal of this  
25 case under Federal Rule of Civil Procedure 41(a)(2), with prejudice, signed by counsel for both  
26 parties, indicating that this matter had been resolved in its entirety. (ECF No. 211.) The parties  
27 also requested the court to retain jurisdiction for twelve months to enforce any term of the  
28 settlement agreement. (Id.)

1 On September 27, 2017, the court issued an order dismissing Bryant v. Gallagher  
2 pursuant to the parties' stipulation in the case filed on September 26, 2017. (Case 1:11-cv-  
3 00446-BAM (PC), ECF No. 386.) In the dismissal order, the court indicated that the parties  
4 had set forth the material terms of the settlement agreement, and the court agreed to retain  
5 jurisdiction for twelve months from the date of entry of the order for the sole purpose of  
6 enforcement of the terms of the settlement agreement between the parties. (Id., ECF No. 386 at  
7 1:21, ¶2.)

8 In light of the dismissal of Bryant v. Gallagher, and the court's agreement in that case to  
9 retain jurisdiction for twelve months, this case shall also be dismissed under Rule 41 pursuant  
10 to the parties' stipulation of voluntary dismissal filed in this case on September 8, 2017.

11 Based on the foregoing, IT IS HEREBY ORDERED that:

- 12 1. This action is dismissed with prejudice pursuant to Federal Rule of Civil  
13 Procedure 41(a)(2). Each party is to bear his own costs, attorney's fees, and  
14 expenses of any type, except as provided in the settlement agreement involving  
15 this case and Bryant v. Gallagher (E.D. Cal. No. 1:11-cv-00446-BAM (PC));
- 16 2. The court shall retain jurisdiction for twelve months, pursuant to the order  
17 issued on September 27, 2017, in Bryant v. Gallagher (E.D. Cal. No. 1:11-cv-  
18 00446-BAM (PC)), for the sole purpose of enforcement of the terms of the  
19 settlement agreement between the parties; and
- 20 3. The Clerk of the Court is directed to terminate all pending motions and  
21 deadlines, and close this case.

22  
23 IT IS SO ORDERED.

24 Dated: September 29, 2017

/s/ Gary S. Austin  
25 UNITED STATES MAGISTRATE JUDGE  
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