1 2 3 4 UNITED STATES DISTRICT COURT 5 EASTERN DISTRICT OF CALIFORNIA 6 7 COLUMBUS ALLEN, JR. Case No.: 1:13-cv-00012-DAD-SAB (PC) 8 Plaintiff, ORDER DIRECTING CLERK OF COURT TO 9 CLOSE ACTION PURSUANT TO PARTIES' v. STIPULATION FOR VOLUNTARY DISMISSAL 10 STANISLAUS COUNTY, et al., [ECF No. 123] 11 Defendants. 12 13 On April 16, 2018, the parties filed a stipulation to dismiss this action with prejudice pursuant 14 to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, as the case has been resolved in its 15 entirety. (ECF No. 73.) 16 Rule 41(a)(1)(A)(ii) provides in pertinent part that, "the plaintiff may dismiss an action without 17 a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared. A 18 voluntary stipulation to dismiss an action pursuant to Rule 41(a)(1)(A)(ii) automatically terminates the 19 action without operation of a court order. Black Rock City, LLC v. Pershing Cty. Bd. of Comm'rs, 20 637 F. App'x 488 (9th Cir. 2016) (citing Commercial Space Mgmt. Co. v. Boeing Co., 193 F.3d 1074, 21 1077 (9th Cir. 1999)). Here, counsel for Plaintiff and counsel for Defendants have signed and dated a 22 stipulation to dismiss this action, and filed it with the Court. 23 /// 24 /// 25 26 27 28

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 is to bear its own litigation costs and attorney's fees.

IT IS SO ORDERED.

Dated: **April 17, 2018**

UNITED STATES MAGISTRATE JUDGE

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