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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 STEVEN R. EDWARDS,

12 Plaintiff,

13 vs.

14 R. BRATTON and

15 D. CABRAL,

16 Defendants.
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1:13-cv-00345-EPG-PC

ORDER GIVING FULL EFFECT TO
STIPULATION TO DISMISS CASE, WITH
PREJUDICE, UNDER RULE 41
(ECF No. 131.)

ORDER FOR CLERK TO CLOSE CASE

19 Steven R. Edwards is a state prisoner proceeding *pro se* in this civil rights action
20 brought pursuant to 42 U.S.C. § 1983. The case proceeds with Plaintiff's original Complaint
21 filed on March 11, 2013, against defendants R. Bratton (LVN) and D. Cabral (Psychiatric
22 Technician) (collectively, "Defendants"), for inadequate medical care, in violation of the
23 Eighth Amendment. (ECF No. 1.)¹
24

25 ¹On June 12, 2013 and June 13, 2013, Plaintiff filed notices to proceed only against defendants
26 Bratton, Cabral, Escorto, and Pascual, for deliberate indifference to his medical needs. (ECF Nos. 9, 10.) By this
27 order, all other claims and defendants are hereby dismissed from this action. Thus, Plaintiff's excessive force
28 claim is dismissed from this action based on Plaintiff's failure to state a claim upon which relief may be granted
under § 1983, and defendants George, Simas, and Joslin are dismissed from this action based on Plaintiff's failure
to state any claims against them. On July 17, 2015, summary judgment was granted to defendants Escorto and
Pascual. (ECF No. 73.) Therefore, this case now proceeds only against defendants Bratton and Cabral for
deliberate indifference to Plaintiff's medical needs.

1 The parties to this action have consented to the jurisdiction of a Magistrate Judge
2 pursuant to 28 U.S.C. § 636(c). (ECF Nos. 77, 83.) Therefore, Magistrate Judge Erica P.
3 Grosjean shall conduct any and all proceedings in the case, including trial and entry of final
4 judgment.

5 On April 26, 2016, a stipulation for voluntary dismissal with prejudice was filed with
6 the Court, containing the signatures of Plaintiff and Counsel for Defendants Cabral, Bratton,
7 Escoto, and Pascual. (ECF No. 131.) The stipulation states that Plaintiff Steven R. Edwards
8 and Defendants Cabral, Bratton, Escoto, and Pascual have resolved this case in its entirety and
9 therefore stipulate to a dismissal of this action with prejudice under Federal Rule of Civil
10 Procedure 41(a)(1)(A)(ii).

11 Federal Rule of Civil Procedure 41(a)(1)(A)(ii) allows plaintiffs to “dismiss an action
12 without a court order by filing a stipulation of dismissal signed by all parties who have
13 appeared.” The stipulation filed on April 26, 2016 is signed by all parties who have appeared
14 in this case. Therefore, the parties’ stipulation is given full force and effect, and this case is
15 dismissed with prejudice. The Clerk shall close the case.

16 Accordingly, IT IS HEREBY ORDERED that:

- 17 1. The parties’ stipulation for voluntary dismissal of this action with prejudice is
18 effective as of the date it was filed;
- 19 2. This case is DISMISSED WITH PREJUDICE; and
- 20 3. The Clerk of the Court is directed to close this case.

21 IT IS SO ORDERED.
22

23 Dated: April 28, 2016

24 /s/ Erica P. Grosjean
UNITED STATES MAGISTRATE JUDGE