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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

MICHAEL CHASE STAFFORD,  
  Plaintiff.  
  v.  
STATE of CALIFORNIA, et al.,  
  Defendants.

) No. 1:13-cv-00348-LJO-SKO  
)  
) **ORDER RE STIPULATION OF**  
) **DISMISSAL WITHOUT PREJUDICE**  
) (Doc. 25)  
)  
)  
)

Plaintiff Michael Stafford (“Plaintiff”), a state prisoner proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 on March 11, 2013. (Doc. 1.) This action is proceeding against Defendants Rodriguez and Solis (collectively, “Defendants”) on Plaintiff’s Fourth Amendment claim.<sup>1</sup> Defendants filed an answer on November 15, 2013. (Doc. 11.)

On July 22, 2014, Defendants filed a stipulation for voluntary dismissal of the action without prejudice. Fed. R. Civ. P. 41(a)(1)(A)(ii). In a letter to Defendants’ counsel dated July 13, 2014, Plaintiff writes, in pertinent part, “I Michael Chase Stafford am writing to ask to dismiss the current case against Detective Solis, Detective Rodriguez ... I believe that with my

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<sup>1</sup> Neither Detective Rodriguez nor Detective Solis’s full names are included in the Complaint or Defendants’ Answer.

1 research the detectives were doing there [sic] jobs and I don't feel the need to pursue this  
2 legally no more." Plaintiff ended the letter by writing "Please file the dismissal motions thru  
3 courts." (Doc. 25-1, Exhibit A.) In a motion filed with the Court on July 14, 2014, however,  
4 Plaintiff indicates he is "having trouble keeping up with the case. Therefore also would  
5 consider dismissing the case, in a way where I could maybe refile at later time." (Doc. 23.)  
6 Plaintiff, therefore, appears to request a dismissal of the case without prejudice. Defendant, by  
7 way of a filed stipulation, agrees to dismissal without prejudice. (Doc. 25.)

8           Accordingly, pursuant to the agreement of the parties and Fed. R. Civ. P.  
9 41(a)(1)(A)(ii), the remaining claims against the remaining defendants are DISMISSED  
10 WITHOUT PREJUDICE and the Clerk of the Court is DIRECTED TO CLOSE THIS CASE.  
11 IT IS SO ORDERED.

12  
13       Dated: July 23, 2014

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