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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

12 ELTON ERVIN,

13 Plaintiff,

14 v.

15 MERCED POLICE DEPT., et al.,

16 Defendants.

Case No. 1:13-cv-00446 EPG

**STIPULATED DISMISSAL AND  
ORDER**

17 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties to this action  
18 through their attorneys of record, stipulate to dismissal of Defendants Merced Police Dept., et al,  
19 with prejudice from all claims alleged in the complaints in this action.

20 Respectfully submitted,

21 Dated: March 29, 2016

22 WILLIAM L. SCHMIDT, ATTORNEY AT  
23 LAW, P.C

24 By: /s/ William L. Schmidt  
25 William L. Schmidt  
26 Attorney for Plaintiff  
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Dated: March 29, 2016

ALLEN, GLAESSNER, HAZELWOOD &  
WERTH, LLP

By: /s/ Kevin P. Allen  
Kevin P. Allen  
Attorneys for Defendants

**Order**

Based on the above stipulation of voluntary dismissal, this case is DISMISSED WITH  
PREJUDICE. The Clerk of the Court is DIRECTED to close this case.

IT IS SO ORDERED.

Dated: March 30, 2016

/s/ Eric P. Groj  
UNITED STATES MAGISTRATE JUDGE