

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

THOMAS GOOLSBY,
Plaintiff,
v.
KIMBERLY HOLLAND,
Defendants.

No. 1:13-cv-01100-DAD-BAM (PC)

ORDER DIRECTING THE CLERK OF THE
COURT TO CLOSE THE CASE

(Doc. No. 58)

Plaintiff Thomas Goolsby is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. On June 21, 2016, defense counsel filed a stipulation for voluntary dismissal of the action with prejudice, signed by both parties, indicating this case has been resolved in its entirety via settlement. (Doc. Nos. 58 and 59.) On June 22, 2016, the assigned magistrate judge issued an order retaining jurisdiction to enforce the settlement agreement until the settlement check is distributed to the plaintiff. (Doc. No. 60.)

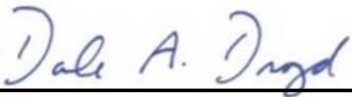
Based upon the parties' stipulation, this action has been dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), *see Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and with each party to bear its own litigation costs and attorney's fees. The Clerk of the Court is directed to terminate all pending motions and deadlines, and close this case.

/////
/////

1 The court, however, shall retain jurisdiction for the limited purpose of enforcing the settlement
2 agreement until the settlement check is distributed to the plaintiff.

3
4 IT IS SO ORDERED.

5 Dated: July 21, 2016


UNITED STATES DISTRICT JUDGE

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28