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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SAMUEL MERCARDO,
Plaintiff,
v.
UNITED STATES OF AMERICA, et al.,
Defendants.

Case No. 1:13-cv-01535-AWI-JLT

**ORDER GRANTING STIPULATION TO
CLOSE THE MATTER AS TO
PLAINTIFFS ANDRADE, PORTILLO
MAYORGA, RIVERA-VALLEJO, PRADO
CASTANEDA, CISNERO REYES,
PALOMARES AND BAZAN**

(Doc. 74)

The parties have stipulated to dismiss the matter with prejudice as to plaintiffs Jesus Andrade, Jose Portillo Mayorga, Jorge Rivera-Vallejo, Edgar Prado Castaneda, Gonzalo Cisneros Reyes, Lucio Palomares and Hector Bazan. (Doc. 74) They agree that the parties involved will bear their own costs and fees. *Id.* at 2. The stipulation relies on Fed. R. Civ.P. 41(a)(1) which provides, “the plaintiff may dismiss an action without a court order by filing: . . . a stipulation of dismissal signed by all parties who have appeared.” . . .” Fed. R. Civ. P. 41(a). Once such a notice has been filed, an order of the Court is not required to make the dismissal effective. Fed. R. Civ. P. 41(a)(1)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997).

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Thus, the Clerk of Court is DIRECTED to close this action as to these specific plaintiffs,
in light of the stipulation signed pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: April 19, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE