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8	UNITED STATES DISTRICT COURT	
9	EASTERN DISTRICT OF CALIFORNIA	
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11	CHARLES F. ROBERTSON,	) Case No.: 1:14-cv-00364-SAB (PC)
12	Plaintiff,	ORDER DIRECTING CLERK OF COURT TO CLOSE CASE AND ADJUST DOCKET TO
13	v.	) REFLECT VOLUNTARY DISMISSAL
14	JOHN DOE, et al.,	) (ECF No. 27)
15	Defendants.	)
16		)
17	Plaintiff Charles F. Robertson, appearing pro se and in forma pauperis in this civil rights action	
18	pursuant to 42 U.S.C. § 1983, filed a complaint on March 14, 2014. (ECF No. 1.) On December 9,	
19	2015, Plaintiff filed a notice of voluntary dismissal pursuant to Rule 41(a)(1) of the Federal Rules of	
20	Civil Procedure.	
21	"[U]nder Rule 41(a)(1)(A)(i), 'a plaintiff has an absolute right to voluntarily dismiss his action	
22	prior to service by the defendant of an answer or a motion for summary judgment.' " <u>Commercial</u>	
23	Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077 (9th Cir. 1999) (quoting Wilson v.	
24 25	City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997)). "[A] dismissal under Rule 41(a)(1) is effective	
25 26	on filing, no court order is required, the parties are left as though no action had been brought, the	
20	defendant can't complain, and the district court lacks jurisdiction to do anything about it."	
28	Commercial Space Mgmt. Co., Inc., 193 F.3d at 1078. In this action, no defendant has filed an answer	

or other responsive pleading. Accordingly, the Clerk of the Court is HEREBY ORDERED to CLOSE the file in this case and adjust the docket to reflect voluntary dismissal of this action pursuant to Rule 41(a). IT IS SO ORDERED. TA. E Dated: December 14, 2015 UNITED STATES MAGISTRATE JUDGE