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

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11 JUAN JAIMES,) Case No.: 1:14-cv-00952-LJO-SAB (PC)
12 Plaintiff,)
13 v.) ORDER DIRECTING CLERK OF COURT TO
14 J. NEIGHBORS,) CLOSE CASE PURSUANT TO PARTIES'
15 Defendant.) STIPULATION FOR VOLUNTARY DISMISSAL
16) AND VACATING ORDER AND WRIT OF
) HABEAS CORPUS AD TESTIFICANDUM
) ISSUED FEBRUARY 21, 2018
)
) (ECF Nos. 117, 119)

17 Plaintiff Juan Jaimes is appearing pro se and in forma pauperis in this civil rights action
18 pursuant to 42 U.S.C. § 1983.

19 On February 26, 2018, the parties filed a stipulation to dismiss this action with prejudice
20 pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. (ECF No. 119.)

21 Rule 41(a)(1)(A)(ii) provides in pertinent part that, “the plaintiff may dismiss an action without
22 a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared. A
23 voluntary stipulation to dismiss an action pursuant to Rule 41(a)(1)(A)(ii) automatically terminates the
24 action without operation of a court order. Black Rock City, LLC v. Pershing Cty. Bd. of Comm’rs,
25 637 F. App’x 488 (9th Cir. 2016) (citing Commercial Space Mgmt. Co. v. Boeing Co., 193 F.3d 1074,
26 1077 (9th Cir. 1999)).

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1 In this case, Plaintiff and counsel for Defendant J. Neighbors have signed and dated a
2 stipulation to dismiss this action, and filed it with the Court.

3 In light of parties' stipulation for voluntary dismissal, this action is terminated by operation of
4 law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). All pending deadlines are
5 terminated, and the Court's order and writ of habeas corpus ad testificandum to transport Plaintiff to
6 this court for trial on March 20, 2018, is VACATED. Each party is to bear its own litigation costs,
7 fees, and expenses of any type, including attorney's fees.

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9 IT IS SO ORDERED.

10 Dated: February 27, 2018

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