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

IGOR SHAFIR,)	No. 1:14-cv-00957---SKO
)	
Plaintiff,)	ORDER DIRECTING CLERK OF
)	COURT TO ADMINISTRATIVELY
v.)	CLOSE CASE
)	
AEGIS WHOLESALE CORPORATION, et)	
al.,)	
)	
Defendants.)	

On August 20, 2014, Plaintiff filed a notice voluntarily dismissing this action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i).

In relevant part, Rule 41(a)(1)(A) provides as follows:

[A] plaintiff may dismiss an action with a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.

Fed. R. Civ. P. 41(a)(1)(A).

1 Pursuant to Rule 41, "[t]he plaintiff may dismiss some or all of the defendants, or some
2 or all of his claims, through a Rule 41(a)(1) notice," and the dismissal "automatically
3 terminates the action as to the defendants who are the subjects of the notice." *Wilson v. City of*
4 *San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Here, no Defendant has filed an answer or a
5 motion for summary judgment. Therefore, Plaintiff is entitled, as a matter of right, to dismiss
6 the entire action without prejudice, even though a motion to dismiss is currently pending.
7 *Miller v. Reddin*, 422 F.2d 1264, 1266 (9th Cir. 1970). Plaintiff's notice of dismissal
8 automatically terminated this case with no further action from the Court. *Am. Soccer Co., Inc.*
9 *v. Score First Enterprises*, 187 F.3d 1108, 1110 (9th Cir. 1999).

10 Accordingly IT IS HEREBY ORDERED that the Clerk of the Court is to
11 administratively close this case.

12
13 IT IS SO ORDERED.

14 Dated: August 22, 2014

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE