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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LYNN RENEE CATE,
Plaintiff,
v.
MARK WALLAE, individually;
BILL WHITMAN, in his official capacity;
COUNTY OF TULARE,
Defendants.

No. 1:14-CV-01225----MJS

**ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE**

On November 19,, 2014, Plaintiff filed a Notice of Voluntary Dismissal with Prejudice of this entire action pursuant to Federal Rule of Civil Procedure 41 (a)(1)(A)(i) which provides in relevant part:

[A] plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary of judgment.

Such a Rule 41 (a)(1) notice of dismissal “automatically terminates the action as to the defendants who are subjects of the notice.” *Wilson v. City of San Jose*, 111F. 3d 688, 692 (9th Cir. 1997).

Plaintiff’s Notice of Dismissal complies with the provisions of Rule 41 (a)(1)(A)(i).

1 Accordingly, it is ORDERED that this action is DISMISSED in its entirety with prejudice
2 and the Clerk shall CLOSE the case.

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4 IT IS SO ORDERED.

5 Dated: November 21, 2014

1st Michael J. Seng
UNITED STATES MAGISTRATE JUDGE

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