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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 VANCE EDWARD JOHNSON,

12 Plaintiff,

13 vs.

14 BARAJAS,

15 Defendant.
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1:14-cv-01690-LJO-GSA-PC

ORDER OF DISMISSAL UNDER RULE 41(a)
(ECF No. 34.)

ORDER DIRECTING CLERK OF COURT TO
CLOSE CASE

17 **I. BACKGROUND**

18 Vance Edward Johnson (“Plaintiff”) is a state prisoner proceeding pro se and in forma
19 pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. The case now proceeds with
20 the First Amended Complaint filed by Plaintiff on August 21, 2015, against defendant
21 Correctional Officer M. Barajas (“Defendant”) on Plaintiff’s claim for adverse conditions of
22 confinement under the Eighth Amendment. (ECF No. 9.)

23 On October 11, 2017, defense counsel filed a stipulation for voluntary dismissal of this
24 case under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with prejudice, signed by counsel
25 for both parties, indicating that this matter has been resolved in its entirety. (ECF No. 34.)

26 Rule 41(a)(1)(A)(ii) provides that “the plaintiff may dismiss an action without a court
27 order by filing a stipulation of dismissal signed by all parties who have appeared.”
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1 In this case, given that Plaintiff has stipulated with all other defendants who have
2 appeared in this action to dismiss this action with prejudice, the court finds it proper to dismiss
3 this case in its entirety, with prejudice.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The parties' stipulation filed in this action on October 11, 2017, is effective as of
6 the date it was filed;
- 7 2. This case is DISMISSED in its entirety, with prejudice; and
- 8 3. The Clerk of the Court is DIRECTED to close the file in this case and adjust the
9 docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).

10 IT IS SO ORDERED.

11 Dated: October 12, 2017

12 /s/ Gary S. Austin
13 UNITED STATES MAGISTRATE JUDGE