

A notice of dismissal under Rule 41(a)(1) is self-executing; a court order is not required to effectuate the dismissal. *Concha v. London*, 62 F.3d 1493, 1506 (9th Cir. 1995) (“The

1 dismissal is effective on filing [of a notice pursuant to Rule 41(a)(1)] and no court order is
2 required.”). “Filing a notice of voluntary dismissal with the court automatically terminates the
3 action as to the defendants who are the subjects of the notice.” *Id.* “Such a dismissal leaves the
4 parties as though no action had been brought.” *Id.*

5 Here Plaintiff has filed a notice of voluntary dismissal indicating that she “voluntarily
6 dismisses this case, without prejudice, against Defendant, Enhanced Recovery Company, LLC.”
7 Doc. 9. Defendant Enhanced Recovery Company, LLC has not yet filed an answer or a motion
8 for summary judgment in the case. Therefore, pursuant to Rule 41(a)(1)(A)(i), the dismissal of
9 the action, without prejudice, was effective upon the filing of Plaintiff’s notice of voluntary
10 dismissal. Accordingly, the Clerk of Court is directed to administratively close this case.
11

12
13 IT IS SO ORDERED.

14 Dated: January 9, 2015

/s/ Gary S. Austin
15 UNITED STATES MAGISTRATE JUDGE
16
17
18
19
20
21
22
23
24
25
26
27
28