

1
2
3
4 UNITED STATES DISTRICT COURT
5 EASTERN DISTRICT OF CALIFORNIA
6

7 KENDYL WELCH,
8 Plaintiff,

9 v.

10 CLIFF ALLENBY, et al.,
11 Defendants.
12

CASE NO. 1:15-cv-00121-LJO-MJS (PC)
VOLUNTARY DISMISSAL OF ACTION
(ECF No. 17)

CLERK TO TERMINATE ALL PENDING
MOTIONS AND CLOSE CASE

13 Plaintiff is a civil detainee proceeding pro se and in forma pauperis in this civil
14 rights action brought pursuant to 42 U.S.C. § 1983. On May 1, 2015, Plaintiff filed a
15 Notice of Withdrawal of Civil Rights Complaint. (ECF No. 17.)

16 Under Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an
17 action without a court order by filing a notice of dismissal before the opposing party
18 serves either an answer or a motion for summary judgment. Plaintiff's May 1, 2015
19 notice is sufficient under Rule 41.

20 Accordingly, this action is hereby DISMISSED without prejudice. The Clerk shall
21 terminate all pending motions and CLOSE this case.

22 IT IS SO ORDERED.

23
24 Dated: May 4, 2015

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