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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RANDI PETERSEN,

 Plaintiff,

 v.

TULARE COUNTY SUPERIOR COURT, et
al.,

 Defendants.

Case No. 1:15 -cv-00209-TLN-SAB

ORDER GRANTING DISMISSAL
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)

ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE AND ADJUST DOCKET
TO REFLECT VOLUNTARY DISMISSAL

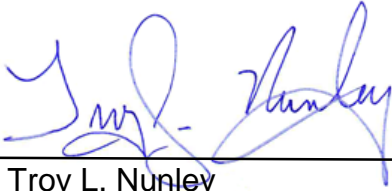
(ECF No. 10)

Plaintiff filed this action on February 9, 2015. On March 3, 2015, the magistrate judge issued findings and recommendations recommending dismissing the action for failure to state a claim. On March 16, 2015, Plaintiff filed a notice of voluntary dismissal.

“[U]nder Rule 41(a)(1)(I), ‘a plaintiff has an absolute right to voluntarily dismiss his action prior to service by the defendant of an answer or a motion for summary judgment.’” Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077 (9th Cir. 1999) (quoting Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997)). “[A] dismissal under Rule 41(a)(1) is effective on filing, no court order is required, the parties are left as though no action had been brought, the defendant can’t complain, and the district court lacks jurisdiction to do anything about it.” Id. at 1078. In this action, no defendant has filed an answer or other responsive pleading.

1 Accordingly, the Clerk of the Court is HEREBY ORDERED to CLOSE the file in this
2 case and adjust the docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).

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4 Dated: March 18, 2015



Troy L. Nunley
United States District Judge

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