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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RONALD MOORE,

Plaintiff,

v.

GURMUKH SINGH SEKHON, et al.,

Defendant.

Case No. 1:15-cv-00319-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. 11)

On June 10, 2015, Plaintiff filed a notice of voluntary dismissal in this action pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

“[U]nder Rule 41(a)(1)(A)(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. No defendant has filed an answer or other responsive pleading.

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1 Accordingly, this action is dismissed pursuant to Federal Rule of Civil Procedure
2 41(a)(1)(A)(i), **with prejudice** as to Defendants **Gurmukh Singh Sekhon dba Cedar Market and**
3 **Amritpal Singh Sandhu dba Cedar Market only**, and **without prejudice** as to defendants **Walid**
4 **A. H. Ayyad and Fatima S. Ayyad**. The Clerk of the Court is HEREBY ORDERED to CLOSE
5 the file in this case and adjust the docket to reflect voluntary dismissal of this action pursuant to
6 Rule 41(a).

7
8 IT IS SO ORDERED.

9 Dated: June 17, 2015


UNITED STATES MAGISTRATE JUDGE