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with the court automatically terminates the action as to the defendants who are the subjects of the notice. *Concha*, 62 F.2d at 1506. Unless otherwise stated, the dismissal is ordinarily without prejudice to the plaintiff's right to commence another action for the same cause against the same defendants. *Id.* (citing *McKenzie v. Davenport-Harris Funeral Home*, 834 F.2d 930, 934-35 (9th Cir. 1987)). Such a dismissal leaves the parties as though no action had been brought. *Id.*

Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997).

No answers to Plaintiff's Complaint or motions for summary judgment have been filed in this case, and it appears that no such answers or summary judgment motions have been served. Because Plaintiff has exercised his right to voluntarily dismiss the complaint under Rule 41(a)(1), this case has terminated. *See Wilson*, 111 F.3d at 692.

Based on the foregoing, IT IS HEREBY ORDERED that the Clerk shall close this case in light of Plaintiff's Rule 41(a)(1)(i) request for dismissal without prejudice.

IT IS SO ORDERED.

Dated: February 14, 2017

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE