

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHAEL A. SPARKMAN,
Plaintiff,
v.
PLEASANT VALLEY STATE
PRISON, et al.,
Defendants.

Case No. 1:15-cv-00655-SKO (PC)
ORDER DIRECTING CLERK OF THE
COURT TO CLOSE THIS CASE
PURSUANT TO PLAINTIFF'S NOTICE
OF VOLUNTARY DISMISSAL
(Doc. 10)

On May 11, 2015, Plaintiff Michael A. Sparkman filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(i). At this stage in the proceedings, Plaintiff has the absolute right to dismiss his claims, without prejudice. *Duke Energy Trading and Marketing, L.L.C. v. Davis*, 267 F.3d 1042, 1049 (9th Cir. 2001). The filing of the notice itself has the effect of closing the action, and the Court no longer has jurisdiction over the claims. *Id.*

Accordingly, the Clerk of the Court is HEREBY DIRECTED to close this file pursuant to Plaintiff's notice of voluntary dismissal filed on May 11, 2015.

IT IS SO ORDERED.

Dated: May 13, 2015

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE