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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JON L. NYLAND,

Plaintiff,

vs.

CALAVERAS COUNTY SHERIFF’S JAIL,
et al.,

Defendants.

1:15-cv-00886-GSA-PC

ORDER APPROVING STIPULATION TO
DISMISS CASE WITH PREJUDICE,
UNDER RULE 41(a)(1)(A)(ii)
(ECF No. 65.)

ORDER FOR CLERK TO CLOSE CASE

I. BACKGROUND

Jon L. Nyland (“Plaintiff”) is a former jail inmate proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The parties to this action have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c) and on September 14, 2017, the case was reassigned to the undersigned to conduct any and all proceedings in the case, including trial and entry of final judgment. (ECF Nos. 4, 46, 47, 48.)

On March 13, 2018, the parties to this action filed a stipulation dismissing this case with prejudice under Rule 41(a)(1)(A)(ii). (ECF No. 65.)

II. RULE 41 OF THE FEDERAL RULES OF CIVIL PROCEDURE

Rule 41(a)(1)(A)(ii) provides: “Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii).

1 This case now proceeds against Defendants Bailey, Mattos, and Manning, who have
2 appeared in this action. The stipulation contains the signatures of Plaintiff, proceeding *pro se*,
3 and counsel for Defendants Bailey, Mattos, and Manning. (Id.)

4 Given that Plaintiff and Defendants have stipulated to dismiss this case with prejudice,
5 this case is dismissed with prejudice as of the date the stipulation was filed.

6 **III. CONCLUSION**

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The stipulation to dismiss this action with prejudice, filed on March 13, 2018, is
9 effective as set forth as of the date it was filed;
- 10 2. This case is DISMISSED in its entirety, with prejudice, under Rule
11 41(a)(1)(A)(ii);
- 12 3. All pending motions are DENIED as moot; and
- 13 4. The Clerk is directed to CLOSE this case.

14 IT IS SO ORDERED.

15 Dated: March 15, 2018

16 /s/ Gary S. Austin
17 UNITED STATES MAGISTRATE JUDGE