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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BERNARD CLARK,

Plaintiff,

v.

CAPITAL INCOME AND GROWTH
FUND, LLC, et al.,

Defendants.

Case No. 1:15-cv-01479-SMS

ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE

(Doc. 8)

On October 22, 2015, Plaintiff filed a voluntary dismissal of the entire case, with prejudice, under Federal Rule of Civil Procedure 41(a)(1). (Doc. 8.) Rule 41(a)(1)(A) provides:

[T]he plaintiff may dismiss an action without a court order by filing:
(i) a notice of dismissal before the opposing party serves either an answer to a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.

Fed. R. Civ. P. 41(a)(1)(A). Because Defendants have not served an answer or a motion for summary judgment, this case has terminated.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court close this case.

IT IS SO ORDERED.

Dated: October 23, 2015

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE