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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

YIWU LI,
Petitioner,
v.
JEH JOHNSON, et al.,
Respondents.

Case No. 1:15-cv-01574-SAB-HC
ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE
(ECF No. 13)

Petitioner, represented by counsel, has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. (ECF No. 3). Petitioner challenges his ongoing detention by U.S. Immigration and Customs Enforcement (“ICE”), arguing that he has been detained past the six-month presumptively reasonable period for removal and that his removal is not significantly likely to occur in the reasonably foreseeable future. Petitioner and Respondents have consented to the jurisdiction of the Magistrate Judge pursuant to 28 U.S.C. § 636(c). (ECF Nos. 6, 10).

On January 29, 2016, the parties filed a joint stipulation to dismiss this action as Petitioner has been released on an order of supervision. (ECF No. 13). Pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, “the plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” Voluntary dismissal under this rule requires no action on the part of the court and divests the court of jurisdiction upon the filing of the notice of voluntary dismissal. See United States v. 475

1 Martin Lane, 545 F.3d 1134, 1145 (9th Cir. 2008) (describing consequences of voluntary
2 dismissals pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)).

3 In this case, the parties' joint stipulation of dismissal was effective upon filing and
4 without a court order pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). For the sake of
5 clarity, in light of the joint stipulation of dismissal, IT IS HEREBY ORDERED that the Clerk of
6 the Court is DIRECTED to close the case.

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8 IT IS SO ORDERED.

9 Dated: January 29, 2016


UNITED STATES MAGISTRATE JUDGE

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