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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JEROME J. MACK, <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> CALIFORNIA DEPT. OF CORRECTIONS AND REHABILITATION, et al., <p style="text-align: center;">Defendants.</p> <hr style="width: 50%; margin-left: 0;"/>))))))))))))	Case No.: 1:15-cv-01600 --- JLT ORDER CLOSING THE CASE AS TO DEFENDANTS R. GROVES, E. GARCIA, B. SANDERS, T. HAAK, K. WESTERGREN, D. MASON, S. MCKAY, STEVEN M. YAPLEE MD, KRISTY WOODS RN, AND STATE PERSONNEL BOARD ONLY (Doc. 42)
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On April 4, 2016, Plaintiff filed a voluntary dismissal of the action as to defendants, R. Groves, E. Garcia, B. Sanders, T. Haak, K. Westergren, D. Mason, S. McKay, Steven M. Yaplee MD, Kristy Woods RN and the State Personnel Board. (Doc. 42) The voluntary dismissal relies upon Rule 41 of the Federal Rules of Civil Procedure, under which “the plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or 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). Once such a notice has been filed, an order of the Court is not required for the dismissal. Fed. R. Civ. P. 41(a)(1)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Thus, the Clerk of Court is **DIRECTED** to close this action as to defendants R. Groves, E. Garcia, B. Sanders, T. Haak, K. Westergren, D. Mason, S. McKay, Steven M. Yaplee MD, Kristy Woods RN and the State Personnel Board only, in light of the voluntary dismissal with prejudice filed

1 and properly signed pursuant to Rule 41.

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3 IT IS SO ORDERED.

4 Dated: April 5, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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