2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 YOMAIRA WILSON, Case No. 1:15-cv-01671 AWI JLT 12 Plaintiff, ORDER CLOSING THE CASE 13 v. (Doc. 11) 14 CVS PHARMACY, INC, 15 Defendant. 16 17 On January 18, 2017, the parties filed a stipulation to dismiss the action. (Doc. 11) The parties agree that the matter will be dismissed with prejudice and that each side will bear their 18 19 own costs. Id. at 2. Federal Rules of Civil Procedure Rule 41 provides that "the plaintiff may dismiss an 20 action without a court order by filing: . . . a stipulation of dismissal signed by all parties who 21 have appeared."..." Fed. R. Civ. P. 41(a). Once such a notice has been filed, an order of the 22 Court is not required to make the dismissal effective. Fed. R. Civ. P. 41(a)(1)(ii); Wilson v. City 23 of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is DIRECTED 24 25 to close this action in light of the notice of dismissal with prejudice filed and properly signed pursuant to Rule 41(a). 26 27 IT IS SO ORDERED. 28 **January 19, 2017** /s/ Jennifer L. Thurston Dated:

## UNITED STATES MAGISTRATE JUDGE