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

PERCY LEE RHODES,)	Case No. 1:15-cv-01714-DAD-SAB (PC)
Plaintiff,)	
v.)	ORDER DIRECTING DEFENDANTS TO FILE A
FRESNO COUNTY, et al.,)	RESPONSE TO PLAINTIFF’S NOTICE OF
Defendants.)	VOLUNTARY DISMISSAL WITHIN TEN DAYS
)	FROM THE DATE OF SERVICE OF THIS ORDER
)	[ECF No. 89]
)	

Plaintiff Percy Lee Rhodes is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On August 20, 2018, Plaintiff filed a notice of voluntary dismissal. Because Defendants have answered, voluntary dismissal of Plaintiff’s action is governed by Rule 41(a)(2). Under Rule 41(a)(2), absent a stipulation of the parties, a court order is required to obtain voluntary dismissal after a defendant files an answer to the complaint: “[A]n action may be dismissed at the plaintiff’s request only by court order, on terms that the court considers proper.” Fed. R. Civ. P. 41(a)(2). Accordingly, Defendants are directed to file an opposition or statement of non-opposition to Plaintiff’s request within ten (10) days from the date of service of this order.

IT IS SO ORDERED.

Dated: August 21, 2018



 UNITED STATES MAGISTRATE JUDGE