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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,	)	
	)	<b>ORDER DIRECTING CLERK OF COURT TO</b>
v.	)	<b>CLOSE CASE PURSUANT TO PLAINTIFF’S</b>
	)	<b>NOTICE OF VOLUNTARY DISMISSAL</b>
FRESNO COUNTY, et al.,	)	
	)	[ECF No. 90]
Defendants.	)	
	)	
	)	

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).

Pursuant to Court order, Defendants filed a statement of non-opposition to Plaintiff’s request for dismissal on August 27, 2018.

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In light of parties' stipulation for voluntary dismissal, this action is terminated by operation of law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). Each party is to bear its own litigation costs and attorney's fees.

IT IS SO ORDERED.

Dated: August 28, 2018

  
UNITED STATES MAGISTRATE JUDGE