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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

CARLOS FRANCISCO LOPEZ,	)	1:15-cv-01886-DAD-BAM (PC)
	)	
Plaintiff,	)	ORDER REGARDING PLAINTIFF’S
	)	NOTICE OF VOLUNTARY DISMISSAL
v.	)	
	)	(ECF No. 11)
PRATT, et al.,	)	
	)	ORDER DIRECTING CLERK OF COURT
Defendants.	)	TO CLOSE CASE AND ADJUST DOCKET
	)	TO REFLECT VOLUNTARY DISMISSAL
	)	
	)	

Plaintiff Carlos Francisco Lopez is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On July 31, 2017, Plaintiff filed a notice of voluntary dismissal, stating that he is voluntarily dismissing this action in its entirety, with prejudice. (ECF No. 11.)

“[U]nder Rule 41(a)(1)(A)(i), a plaintiff has an absolute right to voluntarily dismiss his action prior to service by the defendant of an answer or a motion for summary judgment.” *Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc.*, 193 F.3d 1074, 1077 (9th Cir. 1999) (quotation and citation omitted). “[A] dismissal under Rule 41(a)(1) is effective on filing, no court order is required, the parties are left as though no action had been brought, the defendant can’t complain, and the district court lacks jurisdiction to do anything about it.” *Id.* at 1078. In this case, no defendant has been served in this action and no defendant has filed an answer or motion for summary judgment.

