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8 **Attorneys for Defendants County of Kern,**
9 **Kern County Sheriff's Office, Sheriff**
10 **Youngblood, and Deputy Manriquez**

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

13 **THE ESTATE OF DONALD MALIIK) Case No.: 1:16-CV-00188 DAD JLT**
14 **LEVINGSTON, TRACI MORALES,)**
15 **individually and as successor in interest to) STIPULATION FOR DISMISSAL OF**
16 **the ESTATE OF DONALD MALIIK) THE KERN COUNTY SHERIFF'S**
17 **LEVINGSTON, ELIJAH LEVINGTSON) OFFICE**
18 **by and through his *Guardian Ad Litem*)**
19 **TRACI MORALES and ELIZABETH)**
20 **LEVINGSTON, by and through her)**
21 ***Guardian Ad Litem* TRACI MORALES)**

22 **Plaintiffs,**

23 **v.**

24 **COUNTY OF KERN, KERN COUNTY)**
25 **SHERIFF'S DEPT., DEPUTY DAVID)**
26 **MANRIQUEZ, KERN COUNTY)**
27 **SHERIFF DONNY YOUNGBLOOD,)**
28 **HALL AMBULANCE SERVICE, INC.,)**
BRENDA ROBINSON and DOES 1)
THROUGH 25, INCLUSIVE)

Defendants.

COME NOW THE PARTIES IN THIS MATTER:

Plaintiffs, the Estate Of Donald Maliik Levingston, Traci Morales, individually and as successor in interest to the Estate Of Donald Maliik Levingston, Elijah Levingston by and through his Guardian Ad Litem Traci Morales and Elizabeth Levingston, by and through her

1 Guardian Ad Litem Traci Morales (hereinafter collectively “Plaintiffs”) are represented by
2 Michael J. Curls and Nichelle D. Jones of the Law Offices of Michael J. Curls.

3 Defendants, Hall Ambulance Service, Inc. and Brenda Robinson (hereinafter
4 collectively “Hall Defendants”) are represented by Deborah S. Tropp of McNeil, Tropp &
5 Braun.

6 Defendants, County of Kern, Kern County Sheriff’s Office, Sheriff Youngblood, and
7 Deputy Manriquez, (hereinafter collectively “County Defendants”) are represented by Andrew
8 C. Thomson, of the Office of Kern County Counsel.

9 Plaintiffs, Hall Defendants and County Defendants are hereinafter collectively referred
10 to as the “Parties” and provide as follows:

11 **IT IS HEREBY UNDERSTOOD**, by and between the Parties to this action through
12 their designated counsel:

13 The Parties understand that the Kern County Sheriff’s Office is a Department of, and
14 integral to, the County of Kern.

15 The Parties are informed and believe that Defendant Kern County Sheriff’s Office is
16 not a proper Defendant in this litigation, and that its’ liability, if any, is subsumed and
17 completely incorporated within the liability umbrella of the County of Kern.

18 **IT IS THEREFOR STIPULATED:**

19 Based upon the foregoing, the Parties agree and stipulate, as follows:

20 The Parties agree and stipulate that Defendant Kern County Sheriff’s Office be
21 dismissed, with prejudice, from this litigation.

22
23 DATED: January 25, 2017

Law Offices of Michael J. Curls

24
25 By: /s/ Nichelle D. Jones
26 Michael J. Curls, Esq.
27 Nichelle D. Jones, Esq.
28 Attorneys for Plaintiffs Estate of Donald Maliik
Levingston, Traci Morales, Elijah Levingston and
Elizabeth Levingston

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DATED: January 25, 2017

McNeil Tropp & Braun LLP

By: /s/ Christine Meissner for
Deborah S. Tropp, Esq.
Attorneys for Defendants Hall Ambulance Service,
Inc. and Brenda Robinson

DATED: January 25, 2017

Mark L. Nations, Interim County Counsel

By: /s/ Andrew C. Thomson
Andrew C. Thomson, Deputy
County Of Kern, Kern County Sheriff's Dept.,
Deputy David Manriquez, and Kern County
Sheriff Donny Youngblood

ORDER

Based upon the stipulation of the parties which relies upon Fed. R. Civ. P. 41(a), the Court **DIRECTS** the Clerk of the Court to close this matter as to the Kern County Sheriff's Office, only.

IT IS SO ORDERED.

Dated: January 27, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE