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4 **UNITED STATES DISTRICT COURT**  
5 **EASTERN DISTRICT OF CALIFORNIA**  
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7 **JOSE TRUJILLO,**

8 **Plaintiff**

9 **v.**

10 **J. LARRY FUGATE, et al.,**

11 **Defendants**

**CASE NO. 1:16-CV-0273 AWI MJS**

**ORDER ON STIPULATED DISMISSAL  
OF DEFENDANT GELT HOLDINGS,  
INC. dba Pizza Hut**

(Doc. No. 8)

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14 On April 7, 2016, Plaintiff filed a notice of dismissal without prejudice of Defendant Gelt  
15 Holdings, Inc. dba Pizza Hut. See Doc. No. 8. Because no answers were filed, the dismissal of  
16 Defendant Gelt Holdings, Inc. dba Pizza Hut occurred automatically. See Fed. R. Civ. P.  
17 41(a)(1)(A)(i); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Therefore, Gelt  
18 Holdings, Inc. dba Pizza Hut is no longer a party to this action. The Court will order the Clerk to  
19 make the appropriate notation on the docket

20 Accordingly, in light of Plaintiff's voluntary dismissal without prejudice (Doc. No. 8), the  
21 Clerk shall note that Defendant Gelt Holdings, Inc. dba Pizza Hut was terminated from this case as  
22 of April 7, 2016.

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24 **IT IS SO ORDERED.**

25 Dated: April 18, 2016

  
26 **SENIOR DISTRICT JUDGE**  
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