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commence another action for the same cause against the same defendants. *Id.* (citing *McKenzie v. Davenport-Harris Funeral Home*, 834 F.2d 930, 934-35 (9th Cir. 1987)). Such a dismissal leaves the parties as though no action had been brought. *Id.*

Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997).

No answer or motion for summary judgment has been filed in this case. Because Plaintiff has exercised his right to voluntarily dismiss the complaint under Rule 41(a)(1), this case has terminated and the matter may be closed. *See Wilson*, 111 F.3d at 692. Therefore, the Clerk is directed to close this case in light of Plaintiff's Rule 41(a)(1)(i) requested dismissal without prejudice.

IT IS SO ORDERED.

Dated: April 17, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE