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

CURTIS ANDERSON,

 Plaintiff,

 v.

UNITED STATES OF AMERICA,

 Defendant.

Case No. 1:16-cv-00352-DAD-SAB (PC)

**ORDER REGARDING STIPULATION OF
VOLUNTARY DISMISSAL WITH
PREJUDICE PURSUANT TO FED. R. CIV. P.
41(a)(1)(A)(ii)**

(ECF No. 89)

On September 3, 2019, Plaintiff Curtis Anderson and Defendant United States of America filed a stipulation to dismiss this entire action, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). (ECF No. 89.) The stipulation further states that each party shall bear its own litigation costs and attorney's fees.

Rule 41(a)(1)(A)(ii) provides, in relevant part, that "the plaintiff may dismiss an action without a court order by filing ... a stipulation of dismissal signed by all parties who have appeared." In this case, since all parties signed and dated the stipulation of dismissal, the filing of the stipulation "automatically terminate[d] the action[.]" Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997) (citations omitted).

Accordingly, this action is terminated by operation of law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: September 4, 2019


UNITED STATES MAGISTRATE JUDGE