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

STEWART MANAGO,

Plaintiff,

vs.

D. DAVEY, et al.,

Defendants.

1:16-cv-00399-NONE-GSA-PC

**ORDER GIVING FULL EFFECT TO
STIPULATION TO DISMISS CASE, WITH
PREJUDICE, UNDER RULE 41
(ECF No. 148.)**

ORDER FOR CLERK TO CLOSE CASE

Stewart Manago (“Plaintiff”) is a prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action filed on March 24, 2016, pursuant to 42 U.S.C. § 1983. This case now proceeds with the First Amended Complaint filed by Plaintiff on April 18, 2016, against defendants J. Acevedo, D. Davey, A. Maxfield, E. Razo, M. Sexton, A. Valdez, and J. Vanderpoel (collectively, “Defendants”), on Plaintiff’s First Amendment retaliation claims. (ECF No. 13.)

On August 13, 2021, a stipulation for voluntary dismissal with prejudice was filed with the Court containing the signatures of Plaintiff and Counsel for Defendants. (ECF No. 148.) The stipulation states that Plaintiff and Defendants have resolved this case in its entirety and therefore

1 stipulate to a dismissal of this action with prejudice under Federal Rule of Civil Procedure
2 41(a)(1)(A)(ii).

3 Federal Rule of Civil Procedure 41(a)(1)(A)(ii) allows plaintiffs to “dismiss an action
4 without a court order by filing a stipulation of dismissal signed by all parties who have appeared.”
5 The stipulation filed on August 13, 2021 is signed by all parties who have appeared in this case.
6 Therefore, the parties’ stipulation is given full force and effect, and this case is dismissed with
7 prejudice. The Clerk shall close the case.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The parties’ stipulation for voluntary dismissal of this action with prejudice is
10 effective as of the date it was filed;
- 11 2. This case is DISMISSED WITH PREJUDICE under Rule 41; and
- 12 3. The Clerk of the Court is directed to close this case.

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14 IT IS SO ORDERED.

15 Dated: August 16, 2021

/s/ Gary S. Austin
16 UNITED STATES MAGISTRATE JUDGE
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