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8 *Attorneys for Defendants Office of Correctional
Safety, Garrett, and West*

9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA
11 FRESNO DIVISION

13 JOHN KELLER,	No. 1:16-cv-00613 AWI-EPG (PC)
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15 Plaintiff,	STIPULATION FOR VOLUNTARY
16	DISMISSAL OF ACTION WITH
17 v.	PREJUDICE AND ORDER
18	[Fed. R. Civ. P. 41(a)(1)(A)(ii)]
19 N.K.S.P., et al.,	Action Filed: May 2, 2016
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21 Under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff John Keller, by and through
22 his appointed pro bono attorney, and Defendants Office of Correctional Safety, Garrett, and West,
23 by and through their attorneys of record, stipulate to the voluntary dismissal of this action with
24 prejudice.

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Each party is to bear his own costs, attorney's fees, and expenses.

IT IS SO STIPULATED.

Dated: November 16, 2017

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
CHRISTOPHER J. BECKER
Supervising Deputy Attorney General

/s/ Diana Esquivel

DIANA ESQUIVEL
Deputy Attorney General
Attorneys for Defendants

Dated: November 16, 2017

ROGERS JOSEPH O'DONNELL

/s/ E. Jacob Lubarsky

E. JACOB LUBARSKY
Attorneys for Plaintiff

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ORDER

The parties filed a stipulation to dismiss this action with prejudice. All parties have agreed to the dismissal. In light of the stipulation, the case has ended, *see* Fed. R. Civ. P. 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and is dismissed with prejudice. *Concha v. London*, 62 F.3d 1493, 1506 (9th Cir. 1995) (“Even if the defendant has filed a motion to dismiss, the plaintiff may terminate his action voluntarily by filing a notice of dismissal under Rule 41(a)(1).”). Accordingly, the Clerk of the Court is DIRECTED to close this case.

IT IS SO ORDERED.

Dated: February 9, 2018

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE