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

JANIE MONTOYA CASTANEDA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:16-cv-00676-SAB

ORDER VACATING JANUARY 18, 2017  
HEARING AND DIRECTING CLERK OF  
THE COURT TO CLOSE THIS ACTION  
AND REFLECT VOLUNTARY DISMISSAL

(ECF Nos. 17, 18 )

Plaintiff Janie Montoya Castaneda filed this action challenging the denial of Social Security benefits on May 12, 2016. On December 20, 2016, Plaintiff’s counsel filed a motion to withdraw as attorney of record. On December 21, 2016, an order issued setting the motion to withdraw as attorney of record for hearing on January 18, 2017. On January 10, 2017, a notice of withdrawal of the motion to withdraw as counsel was filed and a stipulation to dismiss this action with prejudice with each party to bear its own fees, costs, and expenses. The Court notes that the parties have enclosed an authorization to dismiss the action signed by the plaintiff. (ECF No. 18 at 3.)

In light of the stipulation of the parties, this action has been terminated. Fed. R. Civ. P. 41(a)(1)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997), and has been dismissed with prejudice and without an award of costs or attorneys’ fees.

1 Accordingly, it is HEREBY ORDERED that:

- 2 1. The January 18, 2017 hearing is VACATED;
- 3 2. All other pending dates and matters in this action are VACATED; and
- 4 3. The Clerk of the Court is DIRECTED to CLOSE the file in this case and adjust
- 5 the docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).

6 IT IS SO ORDERED.

7 Dated: January 11, 2017

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UNITED STATES MAGISTRATE JUDGE