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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 SHAUNTAE TAYLOR,

12 Plaintiff,

13 v.

14 C/O J. GREGORY,

15 Defendant.
16

Case No.: 1:16-cv-00698-LJO-SAB (PC)

ORDER DIRECTING CLERK OF COURT TO
CLOSE CASE PURSUANT TO PARTIES'
STIPULATION FOR VOLUNTARY
DISMISSAL

(ECF No. 34)

17 Plaintiff Shauntae Taylor is appearing pro se and in forma pauperis in this civil rights action
18 pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's claim for retaliation in violation of
19 his First Amendment rights against Defendant Officer J. Gregory.

20 On September 20, 2017, the parties filed a stipulation to dismiss this action with prejudice
21 pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. (ECF No. 34.)

22 Rule 41(a)(1)(A)(ii) provides in pertinent part that, "the plaintiff may dismiss an action without
23 a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared. A
24 voluntary stipulation to dismiss an action pursuant to Rule 41(a)(1)(A)(ii) automatically terminates the
25 action without operation of a court order. Black Rock City, LLC v. Pershing Cty. Bd. of Comm'rs,
26 637 F. App'x 488 (9th Cir. 2016) (citing Commercial Space Mgmt. Co. v. Boeing Co., 193 F.3d 1074,
27 1077 (9th Cir. 1999)). Here, Plaintiff and counsel for the sole defendant in this action have signed and
28 dated a stipulation to dismiss this action, and filed it with the Court.

1 Accordingly, this action has been DISMISSED, with prejudice, pursuant to the parties'
2 stipulation. Each party shall bear its own litigation costs and attorney's fees.

3 The Clerk of the Court is HEREBY ORDERED to CLOSE the file in this case and adjust the
4 docket to reflect the dismissal pursuant to Rule 41(a)(1)(A)(ii).

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6 IT IS SO ORDERED.

7 Dated: September 21, 2017


UNITED STATES MAGISTRATE JUDGE