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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

FRESNO DIVISION

MELISSA M. NEYLON, et al.,
 	
        Plaintiffs,
 	
vs.
 	
COUNTY OF INYO, et al.,
        Defendants.
	Case No. 1:16-cv-00712-AWI-JLT
	
	[PROPOSED] CLOSING THE CASE AS TO PLAINTIFF SHAWN P. NEYLON

The parties, Plaintiffs Melissa M. Neylon and Shawn P. Neylon (collectively, "Plaintiffs") and

Defendants County of Inyo, William R. Lutze, Ralph Douglas Richards, and Michael Durbin

(collectively, "Defendants"), have stipulated to the dismissal of Plaintiff Shawn P. Neylon and his

associated claim (Ninth Claim for "Loss of Consortium") from this action, with prejudice, pursuant to

Fed. R. Civ. P. 41(a)(1)(A)(ii).

1

1   Federal Rules of Civil Procedure 41 permits the plaintiff to dismiss an action without a court order

2   "by filing . . . a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P.

3   41(a)(1)(A)(ii). Because all parties who have appeared in the action signed the stipulation (Doc. 79), it

4   "automatically terminate[d] the action." *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997).

5   Accordingly, the Clerk of Court is **DIRECTED** to close this action **as to Shawn Neylon only**.

6

7   IT IS SO ORDERED.

8   Dated: **August 16, 2017**   **/s/ Jennifer L. Thurston**
                                                         UNITED STATES MAGISTRATE JUDGE
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