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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT PALMER,  
  
                                Plaintiff,  
  
                                v.  
  
CALIFORNIA HIGHWAY PATROL  
OFFICER IOSEFA, et al.,  
  
                                Defendants.

No. 1:16-cv-00787-SKO  
  
ORDER DIRECTING THE CLERK TO  
TERMINATE DEFENDANTS CALIFORNIA  
HIGHWAY PATROL OFFICER CREWSE  
AND CALIFORNIA HIGHWAY PATROL  
OFFICER McCONNELL  
  
(Doc. 59)

On May 18, 2018, Plaintiff filed a Stipulation of Dismissal of Defendants California Highway Patrol Officer Crewse (erroneously named as “Crelose”) and California Highway Patrol Officer McConnell with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). (Doc. 59.)

In relevant part, Rule 41(a)(1)(A) provides as follows:

[A] plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.

Fed. R. Civ. P. 41(a)(1)(A). “The plaintiff may dismiss some or all of the defendants, or some or all of his claims, through a Rule 41(a)(1) notice,” and the dismissal “automatically terminates the

1 action as to the defendants who are the subjects of the notice.” *Wilson v. City of San Jose*, 111  
2 F.3d 688, 692 (9th Cir. 1997).

3 Because Plaintiff filed a stipulation of dismissal with prejudice under Rule 41(a)(1)(A)(i),  
4 this case has automatically terminated as to Defendants California Highway Patrol Officer  
5 Crewse and California Highway Patrol Officer McConnell. Fed. R. Civ. P. 41(a)(1)(A).  
6 Accordingly, the Clerk of the Court is directed to TERMINATE Defendants California Highway  
7 Patrol Officer Crewse (erroneously named as “Crelose”) and California Highway Patrol Officer  
8 McConnell.

9 This case shall remain OPEN pending resolution of Plaintiff’s case against the remaining  
10 defendant.

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12 IT IS SO ORDERED.

13 Dated: May 21, 2018

/s/ Sheila K. Oberto  
UNITED STATES MAGISTRATE JUDGE

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