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

THERESA BROOKE,	)	Case No.: 1:16-cv-01416-LJO- JLT
	)	
Plaintiff,	)	ORDER DIRECTING CLERK OF THE COURT TO
	)	CLOSE THIS ACTION PURSUANT TO
v.	)	PLAINTIFF’S NOTICE OF VOLUNTARY
	)	DISMISSAL
YEHS FAMILY REVOCABLE TRUST, dba	)	(Doc. 6)
Rodeway Inn & Suites Bakersfield,	)	
	)	
Defendant.	)	

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On October 24, 2016, Plaintiff filed a “Notice of Voluntary Dismissal with Prejudice” pursuant to Rule 41(a)(1), which provides that “the plaintiff may dismiss an action without a court order by filing . . . a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” Fed. R. Civ. P. 41(a)(1)(A)(ii). Once such a notice is filed, the action is “automatically terminate[d].” *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997).

Accordingly, the Court **ORDERS**: The Clerk of Court is **DIRECTED** to close this action in light of the Notice pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: October 26, 2016

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE