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

THERESA BROOKE,

 Plaintiff,

 v.

LILJENQUIST MODESTO COMPANY,
LLC, dba Modesto Hotel,

 Defendant.

Case No.: 1:16-cv-1454-DAD- JLT

ORDER DIRECTING THE CLERK OF THE
COURT TO CLOSE THIS CASE

(Doc. 11)

On December 15, 2016, the plaintiff filed a voluntary dismissal of the action. (Doc. 11)
Federal Rules of Civil Procedure Rule 41 provides that “the 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 . . .” Fed. R. Civ. P. 41(a)(1)(A). Once such a notice has been filed, an
order of the Court is not required to make the dismissal effective. Fed. R. Civ. P. 41(a)(1)(ii); *Wilson*
v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is **DIRECTED**
to close this action in light of the notice of dismissal with prejudice filed and properly signed pursuant
to Rule 41(a).

IT IS SO ORDERED.

Dated: December 19, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE