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

THERESA BROOKE,  
  
                                Plaintiff,  
  
                                v.  
  
SHIV HOTELS, LLC,  
  
                                Defendant.

Case No.: 1:16-cv-01509 LJO JLT  
  
**ORDER DIRECTING THE CLERK TO CLOSE  
THE ACTION**

On November 14, 2016, Plaintiff filed a notice of her voluntary dismissal of the action. (Doc. 9) According to Rule 41 of the Federal Rules of Civil Procedure, “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).

Thus, the Clerk of Court is **DIRECTED** to close this action in light of the notice of dismissal with prejudice.

IT IS SO ORDERED.

Dated: November 15, 2016

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE