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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MAURICE HUNT,)	1:16-cv-01560-LJO-BAM (PC)
)	
Plaintiff,)	ORDER GRANTING PLAINTIFF’S
)	REQUEST FOR VOLUNTARY DISMISSAL
v.)	(ECF No. 7)
)	
ANDRE MATEVOUSIAN, et al.,)	ORDER DIRECTING CLERK OF COURT
)	TO CLOSE CASE AND ADJUST DOCKET
Defendants.)	TO REFLECT VOLUNTARY DISMISSAL
)	
)	
)	

Plaintiff Maurice Hunt (“Plaintiff”) is a federal prisoner proceeding pro se and in forma pauperis in this civil action pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388, 91 S.Ct. 1999 (1971). Plaintiff initiated this action on October 17, 2016. On October 31, 2016, Plaintiff filed the instant motion requesting voluntary dismissal of this action. (ECF No. 7).

“[U]nder Rule 41(a)(1)(i), a plaintiff has an absolute right to voluntarily dismiss his action prior to service by the defendant of an answer or a motion for summary judgment.” Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077 (9th Cir. 1999) (quotation and citation omitted). “[A] dismissal under Rule 41(a)(1) is effective on filing, no court order is required, the parties are left as though no action had been brought, the defendant can’t complain, and the district court lacks jurisdiction to do anything about it.” Id. at 1078. No defendant has been served in this action and no defendant has filed an answer or motion for summary judgment.

