1		
2		
3		
4		
5		
6		
7		
8	UNITED STAT	ES DISTRICT COURT
9	EASTERN DISTRICT OF CALIFORNIA	
10		
11	DOUGLAS J. STEVENSON,) Case No.: 1:16-cv-01831- AWI-JLT
12	Plaintiff,	 ORDER DIRECTING THE CLERK OF COURT TO CLOSE THIS ACTION AS TO
13	v.) DEFENDANT "K. HOLLAND" AND) DIRECTING THE CLERK TO UPDATE THE
14	K. HOLLAND, et al.,) DOCKET
15	Defendants.) (Doc. 32)
16		
17	On March 8, 2018, Plaintiff notified the Court of his intent to proceed on claims previously	
18	found cognizable in the First Amended Complaint. (Doc. 32) Plaintiff also indicated he was dismissing	
19	the remaining claim against Holland without prejudice pursuant to Rule 41(a)(1) of the Federal Rules of	
20	Civl Procedure, and requested only the "remaining named defendants answer the First Amended	
21	Complaint." (Id. at 2)	
22	Pursuant to Rule 41(a)(1)(A), "the plaintiff may dismiss an action without a court order by	
23		ing party serves either an answer or a motion for
24	summary judgment." Because the defendants had not filed an answer or summary judgment, the claim	
25	against Holland was automatically terminated. Id.	
26		
27		
28	///	
		Dockets.Justia.com

1		
1	Based upon Plaintiff's Rule 41 notice of dismissal, the Clerk of Court is DIRECTED to close	
2	this action only as to Defendant "K. Holland," and update the docket.	
3		
4	IT IS SO ORDERED.	
5	Dated:September 24, 2019/s/ Jennifer L. ThurstonUNITED STATES MAGISTRATE JUDGE	
6	UNITED STATES MADISTRATE JUDGE	
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19 20		
20		
21		
22		
23		
25		
26		
27		
28		
-		