

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

COMMERCIAL CREDIT GROUP INC., a
Delaware corporation,

No. 1:17-cv-000156-DAD-JLT

Plaintiff,

V.

ENGINEERED WELL SERVICE
INTERNATIONAL, INC., a California
corporation,

Defendants.

ORDER DIRECTING THE CLERK OF THE
COURT TO CLOSE THE CASE

(Doc. No. 6)

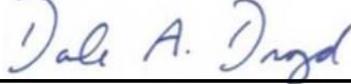
On February 15, 2017, plaintiff filed a notice of voluntary dismissal without prejudice of this action pursuant to Federal Rule Civil Procedure 41(a)(1)(A)(i). (Doc. No. 6.) Under Rule 41(a), a plaintiff may dismiss an action without a court order if he or she files “a notice of dismissal before the opposing party serves either an answer or motion for summary judgment” or a “stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(i)-(ii). Here, defendant, Engineered Well Service International, Inc., has not filed an answer or a motion for summary judgment. In light of the voluntary dismissal, this action has terminated, *see* Fed. R. Civ. P. 41(a)(1)(A)(i); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and has been dismissed without prejudice.

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1 Accordingly, the court directs the Clerk of Court to close this case. Plaintiff's pending
2 motion for writ of possession, private place order or turnover order (Doc. No. 4) is dismissed as
3 having been rendered moot by this order. All court dates and deadlines previously set in this
4 matter are hereby vacated.

5 IT IS SO ORDERED.

6 Dated: February 21, 2017


7 UNITED STATES DISTRICT JUDGE

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