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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

COMMERCIAL CREDIT GROUP INC., a
Delaware corporation,

Plaintiff,

v.

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

Defendants.

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

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 or 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.

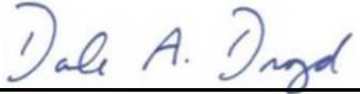
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Accordingly, the court directs the Clerk of Court to close this case. Plaintiff's pending motion for writ of possession, private place order or turnover order (Doc. No. 4) is dismissed as having been rendered moot by this order. All court dates and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

IT IS SO ORDERED.

Dated: February 21, 2017


UNITED STATES DISTRICT JUDGE