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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 JERALD MORRIS LARRY,

12 Plaintiff,

13 vs.

14 S. GOODWIN, et al.,

15 Defendants.  
16

1:17-cv-00172-DAD-GSA-PC

ORDER GIVING FULL EFFECT TO  
STIPULATION FOR VOLUNTARY  
DISMISSAL, WITH PREJUDICE, UNDER  
RULE 41  
(ECF No. 32.)

ORDER FOR CLERK TO CLOSE CASE

17 Jerald Morris Larry (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*  
18 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. This case proceeds with the  
19 original Complaint filed by Plaintiff on February 8, 2017, against defendants Goodwin and  
20 Reis on Plaintiff’s Eighth Amendment claims based upon alleged unconstitutional conditions of  
21 confinement. (ECF No. 1.)

22 On November 16, 2018, a settlement conference was held before Magistrate Judge  
23 Stanley A. Boone, and the case settled. (ECF No. 30.) On November 19, 2018, a stipulation  
24 for voluntary dismissal with prejudice under Rule 41 was filed with the Court containing the  
25 signatures of Plaintiff and Counsel for defendants Goodwin and Reis. (ECF No. 32.)

26 Federal Rule of Civil Procedure 41(a)(1)(A)(ii) allows plaintiffs to “dismiss an action  
27 without a court order by filing a stipulation of dismissal signed by all parties who have  
28 appeared.” The stipulation filed on November 19, 2018, is signed by all parties who have

1 appeared in this case. Therefore, the parties' stipulation is given full force and effect and this  
2 case is therefore dismissed with prejudice. The Clerk shall close the case.

3 Accordingly, IT IS HEREBY ORDERED that:

- 4 1. The parties' stipulation for voluntary dismissal of this action with prejudice is  
5 effective as of the date it was filed;
- 6 2. This case is DISMISSED WITH PREJUDICE under Rule 41; and
- 7 3. The Clerk of the Court is directed to close this case.

8  
9 IT IS SO ORDERED.

10 Dated: November 26, 2018

/s/ Gary S. Austin  
11 UNITED STATES MAGISTRATE JUDGE