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5 **UNITED STATES DISTRICT COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**  
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8 JAMES JACK, JR.,  
9 Plaintiff,  
10 v.  
11 COUNTY OF STANISLAUS, et al.,  
12 Defendants.

Case No. 1:17 -cv-00520-AWI-SAB  
ORDER DIRECTING CLERK OF THE  
COURT TO TERMINATE DEFENDANT  
CODY GUNSOLLEY AS A PARTY IN  
THIS ACTION PURSUANT TO FED. R.  
CIV. P. 41(a)  
(ECF No. 52)

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14 James Jack, Jr. ("Plaintiff") filed this action on April 12, 2017. (ECF No. 1.) Currently  
15 the action is proceeding on the third amended complaint against Cody Gunsolley and Eric  
16 Pearson. On September 17, 2019, a notice of voluntary dismissal was filed dismissing the action  
17 with prejudice as to Defendant Gunsolley with each party to bear its own costs and attorney fees.  
18 (ECF No. 52.)

19 Rule 41(a) of the Federal Rules of Civil Procedure allows a party to dismiss some or all  
20 of the defendants in an action through a Rule 41(a) notice. Wilson v. City of San Jose, 111 F.3d  
21 688, 692 (9th Cir. 1997). In light of the stipulation of the parties, Defendant Cody Gunsolley has  
22 been terminated as a defendant in this action, with each party to bear its own costs, expenses, and  
23 attorney fees as they relate to the subject matter of the stipulation.

24 IT IS SO ORDERED.

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26 Dated: September 18, 2019

  
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28 UNITED STATES MAGISTRATE JUDGE