1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 ALICE JONES, Case No. 1:17-cv-00655-LJO-EPG 12 **Plaintiff** ORDER DIRECTING THE CLERK OF THE COURT TO TERMINATE 13 DEFENDANT OCWEN MORTGAGE v. **SERVICING, INC** 14 OCWEN LOAN SERVICING, LLC, et al., (ECF No. 12) 15 Defendants. 16 On July 13, 2017, Plaintiff Alice Jones filed a notice of voluntary dismissal dismissing her 17 claims against Defendant Ocwen Mortgage Servicing, Inc. without prejudice. (ECF No. 12.) 18 Defendant Ocwen Mortgage Servicing, Inc. has not filed an answer or motion for summary 19 judgment. 20 In light of Plaintiff's notice, the claims against Defendant Ocwen Mortgage Servicing, 21 Inc. have been terminated, see Fed. R. Civ. P. 41(a)(1)(A)(i); Wilson v. City of San Jose, 111 F.3d 22 688, 692 (9th Cir. 1997), and dismissed without prejudice. Concha v. London, 62 F.3d 1493, 23 1506 (9th Cir. 1995) ("Even if the defendant has filed a motion to dismiss, the plaintiff may 24 terminate his action voluntarily by filing a notice of dismissal under Rule 41(a)(1)."). 25 Accordingly, the Clerk of the Court is DIRECTED to terminate Ocwen Mortgage 26 Servicing, Inc. as a Defendant in this case. 27 /// 28

1	This case shall proceed against Defendant Ocwen Loan Servicing, LLC.	
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3	IT IS SO ORDERED.	
4	Dated. July 13, 2017	18/ Encir P. Grosp
5		UNITED STATES MAGISTRATE JUDGE
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