

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

PHERRAN UPSON,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security,

Defendant.

Case No. 1:17-cv-00691-EPG

**ORDER DIRECTING THE CLERK OF
THE COURT TO CLOSE CASE**

(ECF No. 19)

On April 13, 2018, the parties filed a stipulation to dismiss this action with prejudice, each party to bear its own fees, costs, and expenses. (ECF No. 19). All parties have agreed to the dismissal. *Id.* In light of the stipulation, the case has ended and is dismissed with prejudice. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997); *Concha v. London*, 62 F.3d 1493, 1506 (9th Cir. 1995) (“Even if the defendant has filed a motion to dismiss, the plaintiff may terminate his action voluntarily by filing a notice of dismissal under Rule 41(a)(1).”). Accordingly, the Clerk of the Court is DIRECTED to close this case.

IT IS SO ORDERED.

Dated: April 16, 2018

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE