1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 9 EASTERN DISTRICT OF CALIFORNIA 10 11 GENGHIS KHAN ALI STEVENSON, Case No.: 1:17-cv-00764-LJO-SAB (PC) 12 Plaintiff, ORDER DIRECTING CLERK OF COURT TO 13 CLOSE CASE PURSUANT TO PARTIES' v. STIPULATION FOR VOLUNTARY DISMISSAL 14 AND VACATING ORDER AND WRIT OF M. CURNEL, et al., HABEAS CORPUS AD TESTIFICANDUM 15 Defendants. ISSUED FEBRUARY 5, 2018 16 (ECF Nos. 23, 26) 17 18

Plaintiff Genghis Khan Ali Stevenson is appearing pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On February 27, 2018, the parties filed a stipulation to dismiss this action with prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. (ECF No. 53.)

Rule 41(a)(1)(A)(ii) provides in pertinent part that, "the plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared. A voluntary stipulation to dismiss an action pursuant to Rule 41(a)(1)(A)(ii) automatically terminates the action without operation of a court order. Black Rock City, LLC v. Pershing Cty. Bd. of Comm'rs, 637 F. App'x 488 (9th Cir. 2016) (citing Commercial Space Mgmt. Co. v. Boeing Co., 193 F.3d 1074, 1077 (9th Cir. 1999)).

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In this case, Plaintiff and counsel for Defendant Randolph have signed and dated a stipulation to dismiss this action, and filed it with the Court.

In light of parties' stipulation for voluntary dismissal, this action is terminated by operation of law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). All pending deadlines are terminated, and the Court's order and writ of habeas corpus ad testificandum to transport Plaintiff to this court for a settlement conference on February 28, 2018, is VACATED. Each party is to bear its own litigation costs, fees, and expenses of any type, including attorney's fees.

IT IS SO ORDERED.

Dated: **February 27, 2018**

UNITED STATES MAGISTRATE JUDGE