



1 41(a)(1)(A)(i). Voluntary dismissal under this rule requires no action on the part of the court and  
2 divests the court of jurisdiction upon the filing of the notice of voluntary dismissal. See United  
3 States v. 475 Martin Lane, 545 F.3d 1134, 1145 (9th Cir. 2008) (describing consequences of  
4 voluntary dismissals pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)). In this case,  
5 Respondent has not served either an answer or a motion for summary judgment. Thus,  
6 Petitioner's notice of dismissal was effective upon filing and without a court order pursuant to  
7 Federal Rule of Civil Procedure 41(a)(1)(A)(i).

8 For the sake of clarity, in light of the notice of dismissal, IT IS HEREBY ORDERED that  
9 the motion to close case is TERMINATED and the Clerk of the Court is DIRECTED to CLOSE  
10 the case.

11 IT IS SO ORDERED.

12 Dated: August 7, 2017

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15 UNITED STATES MAGISTRATE JUDGE  
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