

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**

MARK A. LUTRELL,  
Plaintiff,  
v.  
NANCY A. BERRYHILL, Acting  
Commissioner of Social Security,  
Defendant.

Case No. 1:17-cv-00821-EPG  
**ORDER DIRECTING THE CLERK OF  
THE COURT TO CLOSE CASE**  
(ECF No. 17)

On March 29, 2018, the parties filed a stipulation to dismiss this action with prejudice, each party to bear its own fees, costs, and expenses. (ECF No. 17). 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 2, 2018

/s/ Eric P. Gray  
UNITED STATES MAGISTRATE JUDGE