UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

PATRICK J. CAVANAUGH, Plaintiff, v. DONNY YOUNGBLOOD, et al., Defendants.	)))))))))	Case No.: 1:17-cv-0832-DAD- JLT ORDER DIRECTING THE CLERK TO UPDATE THE DOCKET AND TERMINATE ARMINDA ZABALA AS A DEFENDANT IN THE ACTION (Doc. 16)

Patrick Cavanaugh filed a Notice of Voluntary Dismissal as to defendant Arminda Zabala. (Doc. 16) Pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i), "the plaintiff may dismiss an action without a court order by filing . . . a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Because Arminda Zabala has not filed an answer or motion for summary judgment, the dismissal was effective without an order of the court. *See* Fed. R. Civ. P. 41(a)(2).

Accordingly, the Clerk of Court is **DIRECTED** to updated the docket and terminate Arminda Zabala as a defendant in the action.

IT IS SO ORDERED.

Dated: **October 16, 2017**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE