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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	COLEMAN PAYNE,	No. 1:17-cv-00906-ADA-SKO
12	Plaintiff,	
13	v.	ORDER DIRECTING THE CLERK TO TERMINATE DEFENDANTS JOY LYNCH
14	JOY LYNCH, et al.,	AND DOCTOR MARSHA MCKAY
15		(Doc. 158)
16	Defendants.	
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19	On August 26, 2023, the parties filed a Stipulation of Dismissal as to Defendants Joy Lynch	
20	and Doctor Marsha McKay with prejudice pursuant to Federal Rule of Civil Procedure 41(a). (Doc.	
21	158.)	
22	In relevant part, Rule 41(a)(1)(A) provides as follows:	
23	[A] plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.	
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26	Fed. R. Civ. P. 41(a)(1)(A). "The plaintiff may dismiss some or all of the defendants, or some or	
27	all of [their] claims, through a Rule 41(a)(1) notice," and the dismissal "automatically terminates	
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the action as to the defendants who are the subjects of the notice." Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Because the parties filed a stipulation of dismissal with prejudice under Rule 41(a), this case has automatically terminated as to Defendants Joy Lynch and Doctor Marsha McKay. Fed. R. Civ. P. 41(a)(1)(A). Accordingly, the Clerk of Court is directed to TERMINATE Defendants Joy Lynch and Doctor Marsha McKay. This case shall remain OPEN pending resolution of Plaintiff's case against the remaining defendant, California Forensic Medical Group. IT IS SO ORDERED. <u> Isl Sheila K. Oberto</u> Dated: **August 28, 2023** UNITED STATES MAGISTRATE JUDGE