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**UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

MARTIN SANTILLAN,	)	Case No.: 1:17-cv-01255 - DAD - JLT
	)	
Plaintiff,	)	ORDER DIRECTING CLERK OF THE COURT
	)	TO CLOSE THIS ACTION PURSUANT TO
v.	)	PLAINTIFF'S NOTICE OF VOLUNTARY
	)	DISMISSAL
ZENCO COLLECTIONS, LLC	)	
	)	(Doc. 10)
Defendant.	)	

On November 17, 2017, Martin Santillan filed a Notice of Voluntary Dismissal, indicating he “voluntarily dismisses this case, with prejudice, against Defendant Zenco Collections, LLC.” (Doc. 10 at 1, emphasis omitted). Pursuant to Rule 41 of the Federal Rules of Civil Procedure, “the 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.” Fed. R. Civ. P. 41(a)(1)(A).

Once such a notice has been filed, an order of the Court is not required to effectuate the dismissal. Fed. R. Civ. Pro. 41(a)(1)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Because the defendant has not yet filed responsive pleadings, Plaintiff was able to file a notice of dismissal, which “automatically terminate[d] the action.” *Wilson*, 111 F.3d at 692.

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