UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JOSUHA HECKATHORN, Plaintiffs, v. KIM HOLLAND, et al., Defendants.	Case No.: 1:17-cv-1416-AWI- JLT ORDER DIRECTING THE CLERK TO CLOSE THE ACTION (Doc. 68)

Joshua Heckathorn, S. Zarris, R. Ruiz, J. Foster, B. Morse, P. Perez, and R. Ruvalcaba filed a stipulation to dismiss the action, noting "Plaintiff hereby voluntarily dismisses this lawsuit pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii)." (Doc. 68 at 1) Pursuant to Rule 41, "the plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared." Fed.R.Civ.P. 41(a)(1)(A)(ii).

Because all remaining parties signed the stipulation, it "automatically terminate[d] the action." *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997); Fed.R.Civ.P. 41(a)(1)(A)(ii). Thus, based upon the stipulation of the parties, the Clerk of Court is **DIRECTED** to close this action.

IT IS SO ORDERED.

Dated: **August 21, 2018**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE