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

PERCY LEE RHODES,)	Case No. 1:18-cv-00013-SKO
)	
Plaintiff,)	
)	
v.)	ORDER DIRECTING DEFENDANTS TO FILE A
)	RESPONSE TO PLAINTIFF'S STIPULATION OF
CITY OF FRESNO, et al.,)	DISMISSAL WITHIN TEN DAYS FROM THE
)	DATE OF SERVICE OF THIS ORDER
Defendants.)	
)	(Doc. 23)
)	

Plaintiff Percy Lee Rhodes is appearing pro se in this civil rights action pursuant to 42 U.S.C. § 1983.

On September 4, 2018, Plaintiff filed a “Stipulation of Dismissal Without Prejudice as to the Defendants by Percy Lee Rhodes” (the “Stipulation”), which seeks to dismiss the case without prejudice pursuant to Federal Rule of Civil Procedure (“Rule”) 41(a)(1)(A)(ii). (Doc. 23.) Although the Stipulation states Defendants “agree and stipulate” to dismiss the case, the Stipulation is improper because it is only signed by Plaintiff and not signed by “all parties who have appeared” in the case as required by Rule 41(a)(1)(A)(ii).

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1 Accordingly, Defendants are directed to file an opposition or statement of non-opposition to
2 Plaintiff's Stipulation within ten (10) days from the date of service of this order.

3
4 IT IS SO ORDERED.

5 Dated: September 5, 2018

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE