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

PERCY LEE RHODES,	)	Case No. 1:18-cv-00013-SKO
	)	
Plaintiff,	)	
	)	ORDER DIRECTING THE CLERK OF THE
v.	)	COURT TO CLOSE THE CASE
	)	
CITY OF FRESNO, et al.,	)	
	)	(Doc. 25)
Defendants.	)	
	)	
	)	
	)	

On September 4, 2018, Plaintiff filed a “Stipulation of Dismissal Without Prejudice as to the Defendants by Percy Lee Rhodes” (the “Stipulation”) seeking to dismiss this case without prejudice pursuant to Federal Rule of Civil Procedure (“Rule”) 41(a)(1)(A)(ii). (Doc. 23.) Although the Stipulation stated Defendants “agree and stipulate” to dismiss the case, the Stipulation was 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).

On September 5, 2018, the Court entered an order directing Defendants to file a response to the Stipulation. (Doc. 24.) On September 7, 2018, Defendants filed a “Fully Executed Stipulated Dismissal” agreeing to Plaintiff’s request for dismissal of this case without prejudice, which was signed by all parties who have appeared in the case. (Doc. 25.)

1           In light of parties' fully-executed stipulation for dismissal, this action is terminated, *see* Fed. R.  
2 Civ. P. 41(a)(1)(A)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and has been  
3 dismissed without prejudice. Accordingly, the Clerk of the Court is directed to close this case.  
4

5 IT IS SO ORDERED.

6 Dated: September 10, 2018

*/s/ Sheila K. Oberto*  
UNITED STATES MAGISTRATE JUDGE