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

11 **JAMES RAYMOND,**) **Case No.: 1:18-CV-00307 DAD JLT**
12)
13 **Plaintiff,**)
14 **v.**) **STIPULATED DISMISSAL**
15)
16 **WARREN MARTIN,**)
17)
18 **Defendant.**)
19) **Case No.: 1:18-cv-01526 DAD-JLT**
20)
21 **INGRID CRAWFORD SMITH, et al.,**)
22)
23 **Plaintiffs,**)
24 **v.**)
25)
26 **CITY OF BAKERSFIELD, KERN**)
27 **COUNTY, et al.,**)
28 **Defendants.**)

29 Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the parties to this action,
30 through their respective attorneys of record, stipulate as follows:

31 1) On March 5, 2018, plaintiff James Raymond, in pro per, filed a complaint regarding
32 the death of his son Augustus Joshua Crawford, naming defendants Bakersfield Police officer
33 Warren Martin. (Case number 1:18-cv-00307 DAD-JLT).

1 Dated: October ____, 2019

JAMES RAYMOND

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By: _____
James Raymond, Plaintiff

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Dated: October ____, 2019

MARDEROSIAN & COHEN

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By: /s/ **
Heather S. Cohen, Esq.
Attorneys for City of Bakersfield, et al.

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** Permission to sign electronically granted by email 11/7/19/

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ORDER

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The parties have stipulated to dismiss the action as to the County of Kern with each side to bear their own fees and costs. (Doc. 60) The stipulation relies upon Fed.R.Civ.P. 41, which permits the plaintiff to 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 parties who have appeared in the action signed the stipulation (Doc. 79), it “automatically terminate[d] the action.” *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is **DIRECTED** to close this action as to the County of Kern.

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IT IS SO ORDERED.

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Dated: **November 13, 2019**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

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