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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOSE TRUJILLO,

Plaintiff,

v.

SULEIMA FERNANDEZ GALVAN, *doing
business as* Mariscos Pepes, et al.,

Defendants.

Case No. 1:20-cv-00104-DAD-EPG

ORDER DISREGARDING NOTICE OF
VOLUNTARY DISMISSAL OF ENTIRE
ACTION

(ECF No. 13)

On April 14, 2020, Plaintiff Jose Trujillo (“Plaintiff”) filed a notice of voluntary dismissal of this action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). (ECF No. 11.) The Court accordingly entered an order on April 15, 2020, directing the Clerk of Court to close the case. (ECF No. 12.)

On November 16, 2020, Plaintiff filed a notice of voluntary dismissal of this action with prejudice. (ECF No. 13.) However, this case has ended by virtue of Plaintiff’s April 14, 2020 notice of voluntary dismissal and the Clerk of Court has closed the case. *See Commercial Space Mgmt. Co. v. Boeing Co.*, 193 F.3d 1074, 1077 n.4 (9th Cir. 1999) (“The voluntary filing of the [Rule 41] notice therefore marks the end of the case, and an attempt to deny relief on the merits and dismiss with prejudice is void; the court has no power or discretion to deny plaintiffs' right to dismiss or to attach any condition or burden to that right.”) (citation and internal quotation marks omitted).

