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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HAROUT HANDIAN,
Plaintiff,
v.
MARK SCOTT SHEPARD, et al.,
Defendants.

Case No. 1:22-cv-01280-SAB
ORDER DISCHARGING ORDER TO SHOW
CAUSE AND DISMISSING ACTION
PURSUANT TO NOTICE OF VOLUNTARY
DISMISSAL
(ECF Nos. 32, 33)

On January 25, 2024, Plaintiff filed a notice of settlement of this action and requested that the Court grant Plaintiff until February 1, 2024 to file dispositional documents. (ECF No. 30.) The Court found good cause to set the deadline on February 1, 2024, as requested. (ECF No. 31.) On February 5, 2024, the Court issued an order to show cause as neither dispositional documents, nor a request for extension, was filed by the deadline. (ECF No. 32.) On February 6, 2024, a stipulation of dismissal was filed pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. (ECF No. 33.)

While no party has provided a response to the order to show cause, the Court shall discharge the order to show cause in light of the filed stipulation of dismissal. However, in most cases, the Court would not discharge an order to show cause until the parties have shown cause in writing why sanctions should not issue.

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In the February 6, 2024 stipulation of dismissal, the parties agree to dismiss all claims and causes of action with prejudice, and with the parties to bear their own costs and attorneys' fees. In light of the filing, this action has been terminated, Fed. R. Civ. P. 41(a)(1)(A)(ii); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997), and has been dismissed with prejudice and without an award of costs or attorneys' fees.

Accordingly, IT IS HEREBY ORDERED that:

1. The order to show cause issued on February 5, 2024 (ECF No. 32), is DISCHARGED; and
3. The Clerk of the Court is DIRECTED to CLOSE the file in this case and adjust the docket to reflect voluntary dismissal of this action pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: February 6, 2024


UNITED STATES MAGISTRATE JUDGE