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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

JAMES JOSHUA JARRARD,  
Plaintiff,  
v.  
ZACHARY SANDOVAL,  
Defendant.

No. 2:16-CV-2838-JAM-JDP-P

ORDER

Plaintiff, a prisoner proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. Good cause appearing therefor based on Defendant’s filings at ECF Nos. 50, 51, and 52, the February 23, 2021, order to show cause is discharged and the hearing set for April 28, 2021, at 9:00 a.m., before the undersigned in Redding, California, is vacated.

A review of Defendant’s filings reflect that Plaintiff was provided a stipulation for voluntary dismissal consistent with a settlement in this matter reached on October 26, 2020. See ECF No. 52. Defendant’s counsel mailed the stipulation to Plaintiff on March 16, 2021, along with a self-addressed stamped envelope for Plaintiff to return the signed document to Defendant’s counsel who would then file it with the Court. To date, there is no indication that Plaintiff has returned the signed stipulation to Defendant’s counsel, nor has the stipulation been filed with the Court.

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Accordingly, within 30 days of the date of this order, Plaintiff shall either: (1) file a proof of service indicating that he has returned the signed stipulation to Defendant's counsel; or (2) independently file a notice of voluntary dismissal of this action pursuant to Fed. R. Civ. P. 41(a)(2).

IT IS SO ORDERED.

Dated: April 26, 2021



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DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE