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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TUE HUYNH,
Plaintiff,
v.
J. IPPOLITO,
Defendant.

Case No. 11-cv-06409-JST (PR)

**ORDER DISMISSING ACTION WITH
PREJUDICE**

Plaintiff, a California prisoner proceeding pro se and currently incarcerated at California State Prison—Los Angeles County, filed the instant civil rights action pursuant to 42 U.S.C. § 1983 alleging violation of his constitutional rights while incarcerated at Salinas Valley State Prison ("SVSP"). On May 9, 2013, the Court issued an Order Denying Defendant's Motion for Summary Judgment.

On August 28, 2013, the Court received a copy of a "Stipulation for Voluntary Dismissal with Prejudice" pursuant to Fed. R. Civ. P. 41(a)(1) signed by both parties as well as a proposed order for the dismissal of this action. The signed stipulation states:

Plaintiff Tue Huynh and Defendant J. Ippolito have resolved this case in its entirety. Therefore, the parties stipulate to a dismissal of this action with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Each party shall bear its own litigation costs and attorney's fees.

(Dkt. No. 45.)

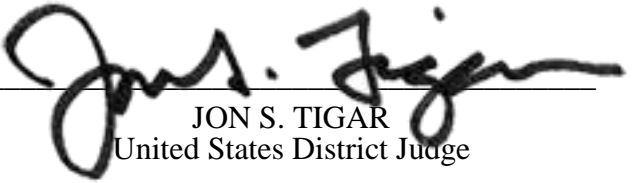
Accordingly, having been notified of the settlement and it appearing that no issue remains for this Court's determination,

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IT IS HEREBY ORDERED THAT this action and all claims asserted herein against defendant are DISMISSED WITH PREJUDICE. The Clerk shall close the file.

IT IS SO ORDERED.

Dated: September 17, 2013



JON S. TIGAR
United States District Judge