

United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MINNY FRANK,
Plaintiff,
v.
COUNTY OF HUMBOLDT, et al.,
Defendant.

No. C 13-0089 MMC

**ORDER CONSTRUING PLAINTIFF'S
NON-OPPOSITION AS REQUEST FOR
DISMISSAL; DISMISSING CLAIMS
AGAINST DEFENDANTS DAVID AND
JENNIFER WILLIAMS; DENYING AS
MOOT DEFENDANTS' MOTION TO
DISMISS AND PLAINTIFF'S MOTION
FOR SUMMARY JUDGMENT**

On May 26, 2014, plaintiff Minny Frank filed a "Motion for Partial Summary Judgment Against Defendants David and Jennifer Williams." On June 9, 2014, said defendants filed a "Motion to Dismiss," which the Court construes as an opposition to plaintiff's motion. Thereafter, on June 16, 2014, plaintiff filed a document titled "Non Opposition Response to Defendants David and Jennifer Williams Motion to Dismiss," in which plaintiff states, in full:

Plaintiff mindful that Defendants and Plaintiff are in pro per, Plaintiff has no opposition to the motion, however, and not otherwise adopting that the Second Amended Complaint would have been futile. Said Plaintiff respectfully requests the Court Grant the Defendants['] Request as to all causes of action against the Defendants David and Jennifer Williams in this Complaint.

(See Non Opposition Response at 1-2.)


Having read and considered plaintiff's June 16, 2014 response, the Court construes such filing as a request for voluntary dismissal pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

1 Accordingly, plaintiff's claims against defendants David Williams and Jennifer
2 Williams are hereby DISMISSED.

3 In light of such dismissal, said defendants' motion to dismiss and plaintiff's motion
4 for summary judgment are hereby DENIED as moot.

5 **IT IS SO ORDERED.**

6 Dated: June 18, 2014


MAXINE M. CHESNEY
United States District Judge

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