

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERALYN RENE EVANS,

Plaintiff,

v.

CONTRA COSTA COUNTY, et al.,

Defendants.

Case No. [15-cv-01772-MEJ](#)

**ORDER RE: PLAINTIFF'S MOTION
TO DISMISS**

Re: Dkt. No. 81

On February 23, 2017, the Court granted summary judgment in favor of Defendants the City of Richmond (the "City") and Contra Costa County (the "County") (together, "Defendants"). Dkt. No. 72. Pursuant to Federal Rules of Civil Procedure 54(b) and 58, the Court entered a separate judgment in favor Defendants the same day. Dkt. No. 73. On March 10, 2017, the Court dismissed several individual defendants who pro se Plaintiff Teralyn Evans ("Plaintiff") named in her Complaint but did not serve. Dkt. No. 78; *see* Dkt. No. 77 (declaration from Plaintiff acknowledging failure to serve). There are no claims pending against any party.

Nonetheless, Plaintiff has filed a Motion to Dismiss. Dkt. No. 81. She asks the Court to "dismiss the claims brought against the Defendants, with prejudice, in their entirety" and explains she "no longer ha[s] the time nor resources to dedicate to pursuing this lawsuit." *Id.* The Court entered judgment against Defendants and dismissed the unserved individual defendants. There are no claims to dismiss. Accordingly, the Court **DENIES** Plaintiff's Motion **AS MOOT**.¹

¹ The City and the County filed Bills of Cost on March 2 and 6, 2017, respectively. Dkt. Nos. 74, 76; *see* Civ. L.R. 54-1. The Local Civil Rules allow the party against whom costs are claimed to object within fourteen days of service of the bill(s) of cost. Civ. L.R. 54-2(a). Plaintiff did not file any objections and thus waived her right to object. *See Velasquez v. Donahue*, 2014 WL 1018068, at *1 (N.D. Cal. Mar. 12, 2014). On April 3, 2017, the Clerk of Court taxed a total of \$8,773.43

IT IS SO ORDERED.

Dated: April 5, 2017



MARIA-ELENA JAMES
United States Magistrate Judge

against Plaintiff. Dkt. Nos. 79-80. To the extent Plaintiff seeks to avoid the costs taxed against her, she cannot do so by moving to dismiss any claims or parties at this time. Plaintiff remains responsible for the costs taxed against her.