

United States District Court  
Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JENETTA L. PRICE, et al.,  
Plaintiffs,  
v.  
UNITED STATES OF AMERICA, et al.,  
Defendants.


Case No. [15-cv-04631-RS](#)

**ORDER DISMISSING ACTION**

On April 22, 2016 an order entered requiring plaintiffs to show cause why this action should not be dismissed for failure to state a claim and/or for failure to prosecute. On April 25, 2016, plaintiffs filed a motion seeking dismissal without prejudice under Rule 41(a)(2) of the Federal Rules of Civil Procedure. Because no defendant has appeared and served either an answer or a motion for summary judgment, plaintiffs are entitled to dismiss their action voluntarily, without court order. See Fed. R. Civ. P. 41 (a)(1)(A)(i). Accordingly, plaintiffs' "motion" will deemed to be a notice of voluntary dismissal. The Clerk is directed to close the file.

**IT IS SO ORDERED.**

Dated: May 2, 2016

  
RICHARD SEEBORG  
United States District Judge