

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RONALD METCALFE, )  
 )  
 Plaintiff, )  
 v. )  
 STATE OF CALIFORNIA, DEPARTMENT OF )  
 CORRECTIONS & REHABILITATION, et. al, )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

Case No.: 12-CV-01445-LHK

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**

Pursuant to the parties' stipulation, ECF No. 44, the Court DISMISSES this action without prejudice. However, the Court retains jurisdiction for the sole purpose of effectuating the settlement agreement. *Id.* The Clerk shall close the file.

The parties shall file a stipulation of dismissal with prejudice by August 26, 2013.

**IT IS SO ORDERED.**

Dated: July 31, 2013

  
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LUCY H. KOH  
United States District Judge