

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

)	
JOHN J. SMITH, JR.,)	
)	
Plaintiff,)	Civil Action No.
)	17-30078-FDS
v.)	
)	
THE CITY OF HOLYOKE,)	
JAMES PARNELL, CRYSTAL MANZI,)	
SAMUEL DEL VALLE, and)	
THIAGO A. MIRANDA,)	
)	
Defendants.)	
)	

ORDER OF DISMISSAL AND PARTIAL ENTRY OF JUDGMENT

SAYLOR, C.J.

On August 18, 2021, plaintiff John J. Smith, Jr. and defendants the City of Holyoke, Officers James Parnell, Crystal Manzi, and Samuel Del Valle stipulated to the dismissal with prejudice of plaintiff’s claims asserted in all counts of this action against them.

On August 24, 2021, plaintiff Smith, and defendants the City of Holyoke, and Officers Parnell, Manzi, and Del Valle moved the Court for entry of an order of dismissal with prejudice and for a final judgment of dismissal in accordance with that stipulation. Defendant Thiago Miranda, the only other party to this action, does not oppose the motion.

Under Federal Rule of Civil Procedure 54(b), “when an action presents more than one claim for relief . . . or when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties [] if the court expressly determines that there is no just reason for delay.” Under Federal Rule of Civil Procedure

41(a)(2), “an action may be dismissed at the plaintiff’s request [] by court order, on terms that the court considers proper.”

In accordance with the stipulation and joint motion, the Court hereby orders as follows:

1. The matter is dismissed with prejudice pursuant to Rule 41(a)(2) as to defendants the City of Holyoke, Officers James Parnell, Crystal Manzi, and Samuel Del Valle.
2. The Court finds that there is no just reason for delay, and directs entry of a final judgment of dismissal pursuant to Rule 54(b) in accordance with the joint motion and stipulation.
3. The joint motion for entry of an order of dismissal with prejudice and for a final judgment of dismissal is hereby GRANTED.

So Ordered.

Dated: September 20, 2021

/s/ F. Dennis Saylor IV
F. Dennis Saylor IV
Chief Judge, United States District Court