

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

SHAKIA TURNER,

Plaintiff,

v.

OFFICER ANDREW BRUCE and
OFFICER JIM MOROVIC,

Defendants.

ORDER

17-cv-578-bbc

The court is in receipt of the parties' "voluntary stipulation for partial dismissal of state law claims," in which the parties state that all of plaintiff's claims arising under Wisconsin state law as set forth in her complaint may be dismissed with prejudice. Dkt. #11. Although the stipulation is styled as a notice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Court of Appeals for the Seventh Circuit has determined that Rule 41(a) is limited to dismissing an "action," meaning an entire case, not individual claims, with the possible exception of a counterclaim under Rule 41(a)(2). Taylor v. Brown, 787 F.3d 851, 857-58 (7th Cir. 2015). A voluntary dismissal of individual claims or parties falls under Rule 15(a). For this reason, I will construe the notice as a request to amend the complaint to remove the Wisconsin state law claims and will grant that request. Accordingly, although

the current complaint will remain the operative pleading unless otherwise amended,
plaintiff's Wisconsin state law claims are DISMISSED.

Entered this 17th day of January, 2018.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge