

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

TRANQUILINO AGUIRRE,)	Case No.: 1:17-cv-1197- JLT
)	
Plaintiff,)	ORDER DIRECTING THE CLERK TO CLOSE
)	THE ACTION
v.)	
)	(Doc. 25)
VIVINT SOLAR DEVELOPER, LLC,)	
)	
Defendant.)	

On August 22, 2018, Tranquilino Aguirre and Vivint Solar Developer stipulated to dismiss the action without prejudice. (Doc. 25 at 2) Pursuant to Rule 41(a), “the plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” Fed.R.Civ.P. 41(a)(1)(A)(ii).

Because all parties signed the stipulation, it “automatically terminate[d] the action.” *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997); Fed.R.Civ.P. 41(a)(1)(A)(ii). Thus, based upon the stipulation of the parties, the Clerk of Court is **DIRECTED** to close this action.

IT IS SO ORDERED.

Dated: August 22, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE