

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Armando Hernandez v. Gonzales

Hernandez v. Gonzales · No. 1:20-cv-01019-SAB (PC) · Decided August 7, 2025

SUMMARY

The United States District Court for the Eastern District of California terminated this § 1983 action pursuant to the parties’ stipulation for voluntary dismissal with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii). The court stated that the action was terminated by operation of law, directed that each party bear its own costs and fees, and ordered the Clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Stanley A. Boone
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 7, 2025
DOCKET	1:20-cv-01019-SAB (PC)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The parties filed a stipulation for voluntary dismissal with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), and the court ordered the action terminated and closed.
PRECEDENTIAL VALUE	Unpublished district-court order; limited precedential value.

TOPICS

- civil procedure
- civil rights
- prisoners rights

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner civil rights

QUESTIONS PRESENTED

- Whether a stipulation of dismissal signed by all parties who had appeared automatically terminated the action under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

2. Whether the court should terminate the action, pending motions, and deadlines following the parties' stipulation for voluntary dismissal with prejudice.

HOLDINGS

1. A stipulation of dismissal signed by all parties who appeared and filed under Rule 41(a)(1)(A)(ii) automatically terminates the action without a court order.

KEY QUOTATIONS

“A voluntary stipulation to dismiss an action pursuant to Rule 41(a)(1)(A)(ii) automatically terminates the action without operation of a court order.” (at 1)

“In light of parties’ stipulation for voluntary dismissal, this action is terminated by operation of law without further order from the Court.” (at 2)

FACTUAL BACKGROUND

Plaintiff Armando Hernandez proceeded pro se and in forma pauperis in a civil-rights action against Gonzales under 42 U.S.C. § 1983. The parties represented that the case had been resolved in its entirety and jointly stipulated to dismissal with prejudice. The stipulation was signed and dated by Plaintiff and counsel for Defendant and filed with the court.

PROCEDURAL HISTORY

Armando Hernandez filed this pro se, in forma pauperis civil-rights action under 42 U.S.C. § 1983. On August 5, 2025, the parties filed a signed stipulation dismissing the action with prejudice because the case had been resolved in its entirety. The court held that the stipulation automatically terminated the action by operation of law, directed the Clerk to terminate pending motions and deadlines, and close the case.

DISPOSITION

dismissed

CASES CITED

- Black Rock City, LLC v. Pershing Cty. Bd. of Comm'rs, 637 F. App'x 488 (9th Cir. 2016)
- Commercial Space Mgmt. Co. v. Boeing Co., 193 F.3d 1074, 1077 (9th Cir. 1999)

OPINION

(PC) Hernandez v. Ogboehi

PER CURIAM.

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

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10 ARMANDO HERNANDEZ, No. 1:20-cv-01019-SAB (PC)

11 Plaintiff, ORDER TERMINATING ACTION

PURSUANT TO PARTIES STIPULATION

12 v. FOR VOLUNTARY DISMISSAL

13 GONZALES, (ECF No. 94)

14 Defendant. 15

16 17 Plaintiff Armando Hernandez is proceeding pro se and in forma pauperis in this civil 18
rights action filed pursuant to 42 U.S.C. § 1983. 19 On August 5, 2025, the parties filed a
stipulation to dismiss this action with prejudice 20 pursuant to Rule 41(a)(1)(A)(ii) of the Federal
Rules of Civil Procedure, as the case has been 21 resolved in its entirety. (ECF No. 94.)

22 Rule 41(a)(1)(A)(ii) provides in pertinent part that, “the plaintiff may dismiss an action
23 without a court order by filing . . . a stipulation of dismissal signed by all parties who have 24
appeared. A voluntary stipulation to dismiss an action pursuant to Rule 41(a)(1)(A)(ii) 25
automatically terminates the action without operation of a court order.” Black Rock City, LLC v.
26 Pershing Cty. Bd. of Comm’rs, 637 F. App’x 488 (9th Cir. 2016) (citing Commercial Space 27
Mgmt. Co. v. Boeing Co., 193 F.3d 1074, 1077 (9th Cir. 1999)). Here, Plaintiff and counsel for
Defendant have signed and dated a stipulation to dismiss this action, and filed it with the Court. 1
In light of parties’ stipulation for voluntary dismissal, this action is terminated by 2 | operation of
law without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(i). Each party 3 | is to bear
its own litigation costs and attorney’s fees. The Clerk of the Court is directed to 4 | terminate all
pending motions and deadlines and close this action. 5

6 IT IS SO ORDERED. FA. ee

7 | Dated: _ August 7, 2025 ;

STANLEY A. BOONE

8 United States Magistrate Judge 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28