

**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.

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA
9 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)(Gi). 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

