

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Antonio Rubio v. Madera Community Hospital

Rubio · No. 1:23-cv-00262-SAB · Decided December 22, 2025

SUMMARY

The United States District Court for the Eastern District of California directs the Clerk of Court to close the case and adjust the docket after the plaintiff filed a notice voluntarily dismissing the entire action with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i). The court notes that the dismissal was effective upon filing because the defendant had not filed an answer or other responsive pleading.

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	December 22, 2025
DOCKET	1:23-cv-00262-SAB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a notice voluntarily dismissing the entire action with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i) before Defendant filed an answer or other responsive pleading.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

civil procedure pleadings

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

- Whether the Clerk should close the case and adjust the docket to reflect Plaintiff's voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i).

HOLDINGS

1. A plaintiff has an absolute right to voluntarily dismiss an action before the defendant serves an answer or a motion for summary judgment, and the dismissal is effective upon filing without a court order.

KEY QUOTATIONS

“ “[A] dismissal under Rule 41(a)(1) is effective on filing, no court order is required, the parties are left as though no action had been brought, the defendant can’t complain, and the district court lacks jurisdiction to do anything about it.” ” (1)

FACTUAL BACKGROUND

The opinion contains no substantive underlying facts about the dispute. Plaintiff filed a notice of voluntary dismissal of the entire action with prejudice on December 19, 2025, and Defendant had not filed an answer or other responsive pleading.

PROCEDURAL HISTORY

On December 19, 2025, Plaintiff filed a notice of voluntary dismissal of the entire action with prejudice. Because Defendant had not filed an answer or other responsive pleading, the court directed the Clerk to close the case and adjust the docket to reflect the voluntary dismissal.

DISPOSITION

dismissed

CASES CITED

- Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077-78 (9th Cir. 1999)
- Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997)

OPINION

Rubio

PER CURIAM.

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UNITED STATES DISTRICT COURT

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9 EASTERN DISTRICT OF CALIFORNIA

10 ANTONIO RUBIO, Case No. 1:23-cv-00262-SAB 11 Plaintiff, ORDER DIRECTING CLERK
OF COURT

12 TO CLOSE CASE AND ADJUST DOCKET

v. TO REFLECT VOLUNTARY DISMISSAL

13

MADERA COMMUNITY HOSPITAL, (ECF No. 14)

14 Defendant. 15

16 On December 19, 2025, Plaintiff filed a notice of voluntary dismissal of the entire action 17
with prejudice pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure. (ECF No.
18 14.) 19 “[U]nder Rule 41(a)(1)(i), ‘a plaintiff has an absolute right to voluntarily dismiss his
action 20 prior to service by the defendant of an answer or a motion for summary judgment.’”
Commercial 21 Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077 (9th Cir. 1999)
(quoting Wilson 22 v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997)). “[A] dismissal under
Rule 41(a)(1) is 23 effective on filing, no court order is required, the parties are left as though no
action had been 24 brought, the defendant can’t complain, and the district court lacks jurisdiction
to do anything 25 about it.” Commercial Space Mgmt. Co., Inc., 193 F.3d at 1078. In this action,
defendant has 26 not filed an answer or other responsive pleading. 27 / / / / / 1 Accordingly, the
Clerk of the Court is HEREBY ORDERED to CLOSE the file in this case 2 | and adjust the docket
to reflect voluntary dismissal of this action pursuant to Rule 41(a)(1). 3

4 T IS SO ORDERED. FA. Se

5 Dated: _ December 22, 2025 "

STANLEY A. BOONE

6 United States Magistrate Judge 4 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28