

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

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

