

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Stanley Dobbs v. Lending USA, LLC, et al.

Dobbs · No. 1:25-cv-01451-SAB · Decided January 9, 2026

SUMMARY

The United States District Court for the Eastern District of California addresses Plaintiff Stanley Dobbs's notice of voluntary dismissal with prejudice as to Equifax Information Services, LLC under Federal Rule of Civil Procedure 41(a)(1)(A)(i). Because no defendant had filed an answer, other responsive pleading, or motion for summary judgment, the court directed the Clerk of Court to terminate Equifax as a defendant.

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	January 9, 2026
DOCKET	1:25-cv-01451-SAB
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiff filed a notice of voluntary dismissal with prejudice as to Defendant Equifax Information Services, LLC before any defendant filed an answer, other responsive pleading, or motion for summary judgment. The court directed the clerk to terminate Equifax from the action.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

1. Whether a plaintiff may voluntarily dismiss an action as to a defendant under Federal Rule of Civil Procedure 41(a)(1)(A)(i) before that defendant serves an answer or motion for summary judgment.
2. Whether the clerk should terminate Equifax Information Services, LLC from the action following the notice of voluntary dismissal.

HOLDINGS

1. A plaintiff has an absolute right to voluntarily dismiss an action before the defendant serves an answer or 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.” ” (at 1)

FACTUAL BACKGROUND

Plaintiff Stanley Dobbs filed an action against Lending USA, LLC, Equifax Information Services, LLC, and others. Before any defendant filed an answer, other responsive pleading, or motion for summary judgment, Plaintiff filed a notice voluntarily dismissing the action with prejudice as to Equifax.

PROCEDURAL HISTORY

On January 8, 2026, Plaintiff filed a notice of voluntary dismissal with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(i) as to Equifax Information Services, LLC. Because no defendant had filed an answer, other responsive pleading, or motion for summary judgment, the court ordered the clerk to terminate Equifax as a defendant.

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)
- Pedrina v. Chun, 987 F.2d 608, 609 (9th Cir. 1993)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 10 EASTERN DISTRICT OF
CALIFORNIA 11 STANLEY DOBBS, Case No. 1:25-cv-01451-SAB 12 Plaintiff, ORDER
DIRECTING CLERK OF COURT 13 TO TERMINATE DEFENDANT EQUIFAX v.
INFORMATION SERVICES, LLC 14 LENDING USA, LLC, et al., (ECF No. 12) 15 Defendants.
16 17 On January 8, 2026, Plaintiff filed a notice of voluntary dismissal of the action with 18

prejudice as to Defendant Equifax Information Services, LLC, pursuant to Rule 41(a)(1)(A)(i) of 19 the Federal Rules of Civil Procedure.

20 “[U]nder Rule 41(a)(1)(A)(i), ‘a plaintiff has an absolute right to voluntarily dismiss his 21
action prior to service by the defendant of an answer or a motion for summary judgment.’” 22
Commercial Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077 (9th Cir. 1999), 23
quoting Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). “[A] dismissal under 24
Rule 41(a)(1) is effective on filing, no court order is required, the parties are left as though no 25
action had been brought, the defendant can’t complain, and the district court lacks jurisdiction to
26 do anything about it.” Id. at 1078; see also Pedrina v. Chun, 987 F.2d 608, 609 (9th Cir.

1993). 27 In this action, no defendant has filed an answer, other responsive pleading, or motion for
summary judgment. 1 Accordingly, the Clerk of the Court is HEREBY ORDERED to
TERMINATE Defendant 2 | Equifax Information Services, LLC, in this action. 3 4 IT IS SO
ORDERED. F- 2 Se 5 | Dated: _ January 9, 2026 STANLEY A. BOONE 6 United States
Magistrate Judge 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28