

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 10, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JESSE REYES; DANIEL REYNOSO;
LEAGUE OF UNITED LATIN
AMERICAN CITIZENS; and
LATINO COMMUNITY FUND OF
WASHINGTON,

Plaintiffs,

v.

BRENDA CHILTON, in her official
capacity as Benton County Auditor
and Canvassing Review Board
member; ANDY MILLER in his
official capacity as Benton County
Canvassing Review Board member;
CHARLES ROSS, in his official
capacity as Yakima County Auditor
and Canvassing Review Board
Member; JOSEPH BRUSIC, in his
official capacity as Yakima County
Canvassing Review Board member;
RON ANDERSON; in his official
capacity as Yakima County
Canvassing Review Board member;
SKIP MOORE, in his official
capacity as Chelan County Auditor
and Canvassing Review Board

CASE NO: 4:21-CV-05075-MKD

ORDER DISMISSING CINTHIA
ÁLVAREZ LUCATERO'S CLAIMS
WITHOUT PREJUDICE

ECF No. 58

ORDER DISMISSING CINTHIA ÁLVAREZ LUCATERO'S CLAIMS
WITHOUT PREJUDICE - 1

1 member; and BOB BUGERT in his
2 official capacity as Chelan County
3 Canvassing Review Board member;
4 JEROME DELVIN, in his official
5 capacity as Benton County
6 Canvassing Review Board Member;
7 and ROBERT SEALBY,

8 Defendants.

9 Before the Court is Plaintiff Cinthia Álvarez Lucatero and Defendants'
10 Stipulations of Voluntary Dismissal, ECF Nos. 58, 59.¹ Plaintiff Cinthia Álvarez
11 Lucatero informs the Court that she voluntarily dismisses her claims against all
12 Defendants without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Plaintiff
13 Cinthia Álvarez Lucatero and Defendants further stipulate that each party shall
14 bear its own costs and fees. The Court accepts the stipulation of voluntary
15 dismissal, signed by Plaintiff Cinthia Álvarez Lucatero and Defendants, and
16 dismisses Cinthia Álvarez Lucatero's claims without prejudice and without an
17 award of costs or fees.

18 _____
19 ¹ Plaintiff filed the same document twice, noting the first as a motion (ECF No. 58)
20 and the second as a stipulation (ECF No. 59). Pursuant to Fed. R. Civ. P.
41(a)(1)(A)(ii), the Plaintiff may dismiss her claims without a court order if a
stipulation is signed by all parties who have appeared. Here, although a motion
may not be necessary, the Court addresses it as filed.

ORDER DISMISSING CINTHIA ÁLVAREZ LUCATERO'S CLAIMS
WITHOUT PREJUDICE - 2

1 Accordingly, **IT IS ORDERED:**

2 1. Plaintiff's Motion to Dismiss (ECF No. 58) is **GRANTED**. Cinthia
3 Álvarez Lucatero's claims are **DISMISSED without prejudice**. Each party shall
4 bear its own costs and fees.

5 2. Any pending motions as to Cinthia Álvarez Lucatero are **DENIED as**
6 **moot**.

7 3. The District Court Executive is directed to terminate Cinthia Álvarez
8 Lucatero as a party in this action and remove Cinthia Álvarez Lucatero from the
9 case caption in this matter.

10 4. The District Court Executive is further directed to enter this Order and
11 provide copies to counsel.

12 DATED February 10, 2022.

13 s/Mary K. Dimke

14 MARY K. DIMKE

15 UNITED STATES DISTRICT JUDGE
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