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

Feb 10, 2022

SEAN F. MCVOY, 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**

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

5 Defendants.

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6 Before the Court is Plaintiff Cinthia Álvarez Lucatero and Defendants'  
7 Stipulations of Voluntary Dismissal, ECF Nos. 58, 59.<sup>1</sup> Plaintiff Cinthia Álvarez  
8 Lucatero informs the Court that she voluntarily dismisses her claims against all  
9 Defendants without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). Plaintiff  
10 Cinthia Álvarez Lucatero and Defendants further stipulate that each party shall  
11 bear its own costs and fees. The Court accepts the stipulation of voluntary  
12 dismissal, signed by Plaintiff Cinthia Álvarez Lucatero and Defendants, and  
13 dismisses Cinthia Álvarez Lucatero's claims without prejudice and without an  
14 award of costs or fees.

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15  
16 <sup>1</sup> Plaintiff filed the same document twice, noting the first as a motion (ECF No. 58)  
17 and the second as a stipulation (ECF No. 59). Pursuant to Fed. R. Civ. P.  
18 41(a)(1)(A)(ii), the Plaintiff may dismiss her claims without a court order if a  
19 stipulation is signed by all parties who have appeared. Here, although a motion  
20 may not be necessary, the Court addresses it as filed.

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