

**FILED**

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

JAN 22 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

YESICA PRADO, et al.

Plaintiffs - Appellees,

v.

CITY OF BERKELEY,

Defendant - Appellant.

No. 23-3140

D.C. No.

3:23-cv-04537-EMC

Northern District of California, San  
Francisco

ORDER

The stipulated motion to dismiss this appeal without prejudice, filed November 20, 2023 (Docket Entry No. 9), is construed as a motion to dismiss with prejudice. So construed, the motion to dismiss this appeal is granted. Fed. R. App. P. 42(b).

The parties shall bear their own costs on appeal.

A copy of this order shall serve as and for the mandate of this court.

FOR THE COURT:

By: Stephen M. Liacouras  
Chief Circuit Mediator