Kuykendall v. Astrue (CONSENT) Doc. 13

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RICHARD H. KUYKENDALL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:12cv644-CSC
	)	(WO)
MICHAEL J. ASTRUE,	)	
Commissioner of the Social Security,	)	
	)	
Defendant.	)	

MEMORANDUM OPINION and ORDER

Now pending before the court is the plaintiff's motion to dismiss (doc. # 12) filed on December 10, 2012. The defendant filed an answer on October 31, 2012. (Doc. # 10). After an answer has been filed, FED. R. CIV. P. 41(a)(1) requires that all parties who have appeared in the action consent to a voluntary dismissal by the plaintiff. The defendant does not oppose the dismissal of this action. *See* Doc. # 12. Moreover, pursuant to 28 U.S.C. § 636(c)(1) and M.D. Ala. LR 73.1, the parties have consented to the United States Magistrate Judge conducting all proceedings in this case and ordering the entry of final judgment. Accordingly, upon consideration of the motion to dismiss, and for good cause, it is

ORDERED that the plaintiff's motion to dismiss (doc. # 12) be and is hereby GRANTED and this action be and is hereby DISMISSED.

A separate order will enter.

Done this 11th day of December, 2012.

/s/Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE

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