

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

WILDFIRE GROUP LLC,)
)
 Plaintiff,)
)
 v.)
)
 PRIME INSURANCE COMPANY,)
)
 Defendant.)

CIVIL ACTION NO.
1:12cv847-MHT
(WO)

JUDGMENT

This matter is before the court on defendant Prime Insurance Company's motion for voluntary dismissal of its counterclaim without prejudice, which motion is contained in defendant's response (doc. no. 82) to the United States Magistrate Judge's show-cause order (doc. no. 80). In its response, Prime explains that some of its counterclaim has been rendered moot by a Utah court and that the remainder of its counterclaim presents only hypothetical issues. Moot and hypothetical issues do not present a case or controversy over which this court has jurisdiction.

* * *

Accordingly, based on the representations of defendant Prime Insurance Company, it is ORDERED, ADJUDGED, and DECREED that the motion for voluntary dismissal of the counterclaim (doc. no. 82) is granted and that the counterclaim (doc. no. 32) is dismissed in its entirety without prejudice, pursuant to Fed. R. Civ. P. 41(a)(2).

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is not closed.

DONE, this the 22nd day of October, 2015.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE