

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Case No. 06-cv-02233-REB

RAELENE HELZER, and  
LESLEY HELZER,

Plaintiffs,

v.

BLUE CROSS BLUE SHIELD OF GEORGIA,  
MARINER HEALTH CARE, and  
SSC GREELEY KENTON OPERATING COMPANY, LLC, d/b/a KENTON MANOR,

Defendants.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**

The matter comes before me on the court's own motion to dismiss this case . I grant the motion.

On November 6, 2006, the law the firm of Kennedy Childs & Fogg, PC, purportedly on behalf of defendants SSC Greeley Kenton Operating Company, LLC, Blue Cross Blue Shield of Georgia, and Mariner Health Care, filed a **Joint Notice of Removal** [#1], which was assigned to Senior Judge Richard P. Matsch under Civil Case No. 06-cv-02228-RPM. Shortly thereafter, the law firm of White and Steele, PC, purportedly on behalf of defendants Mariner Health Care and SSC Greeley Kenton Operating Company, LLC, d/b/a Kenton Manor, filed **Defendants' Notice of Removal** [#1]. That case was assigned to me under Civil Case No. 06-cv-02233-REB.

I have confirmed with the attorneys who filed the notice of removal in this action that Civil Case No. 06-cv-02233-REB is duplicative of Civil Case No. 06-cv-02228-RPM. I therefore conclude that this action should be dismissed.

**THEREFORE, IT IS ORDERED** that this case is **DISMISSED**.

Dated November 13, 2006, at Denver, Colorado.

**BY THE COURT:**

**s/ Robert E. Blackburn**  
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**Robert E. Blackburn**  
**United States District Judge**