

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

Civil Case No. 07-cv-00249-REB-KLM

TAX SERVICES OF AMERICA, INC.,

Plaintiff,

v.

LINDA MITCHELL,
HAMIDOU DIARRA, and
KERRY DYLES,

Defendants.

ORDER DISCHARGING TO SHOW CAUSE

Blackburn, J.

This matter is before me *sua sponte*. On May 22, 2009, I ordered plaintiff to show cause in writing why its Fourth, Fifth, Seventh, and Ninth Claims for Relief against defendants Linda Mitchell and Hamidou Diarra should not be dismissed. Plaintiff filed a timely response, wherein it moved to dismiss these claims pursuant to Fed.R.Civ.P. 41(a)(2). I find that course of action proper and therefore will dismiss those claims

THEREFORE, IT IS ORDERED as follows:

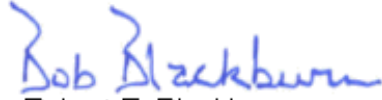
1. That the **Order To Show Cause** [#190], filed May 22, 2009, is

DISCHARGED; and

2. That the Fourth, Fifth, Seventh, and Ninth Claims for Relief asserted by plaintiff, Tax Services of America, Inc., against defendants, Linda Mitchell and Hamidou Diarra, are **DISMISSED WITHOUT PREJUDICE** pursuant to Fed.R.Civ.P. 41(a)(2).

Dated June 1, 2009, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge