

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Chief Judge Wiley Y. Daniel

Civil Action No. 09-cv-00908-WYD-MEH

GLORIA HUIZAR,

Plaintiff,

v.

RUBEN ESTRADA; and  
LEPRINO FOODS,

Defendants.

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**ORDER OF DISMISSAL OF DEFENDANT RUBEN ESTRADA**

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THIS MATTER is before the Court on the Plaintiff's Motion to Dismiss Ruben Estrada (docket #18), filed September 11, 2009. After a careful review of the file, the Court has concluded that no responsive pleading has been filed by Defendant Ruben Estrada. Thus, I will treat Plaintiff's motion as a notice of dismissal under Fed. R. Civ. P. 41(a)(1)(A). I find that the notice of dismissal should be approved and Plaintiff's claims against Defendant Ruben Estrada should be dismissed. Accordingly, it is

ORDERED that Plaintiff's Motion to Dismiss Ruben Estrada (docket #18), which the Court treats as a notice of dismissal, is **APPROVED**, and Defendant Ruben Estrada is **DISMISSED** from this action. Accordingly, Plaintiff's Fourth and Fifth Claims for Relief are **DISMISSED** from this action. It is

FURTHER ORDERED that the clerk of the court shall amend the case caption to reflect this dismissal.

Dated: September 11, 2009

BY THE COURT:

s/ Wiley Y. Daniel  
Wiley Y. Daniel  
Chief United States District Judge