

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

Civil Case No. 09-cv-02917-REB-BNB

SANDRA K. KRIENKE,

Plaintiff,

v.

BAC HOME LOANS SERVICING, LP subsidiary of BANK OF AMERICA CORPORATION/COUNTRYWIDE HOME LOANS SERVICING, LP; CASTLE MEINHOLD & STAWIARSKI, LLC, SUCCESSOR AND ASSIGNS; SUZIE VELASQUEZ, PUBLIC TRUSTEE for WELD COUNTY as Trustee; TIMOTHY F. GEITHNER, SECRETARY OF THE TREASURY, UNITED STATES; and ERIC H. HOLDER, U.S. ATTORNEY GENERAL, as ALIEN PROPERTY CUSTODIAN;

Defendants.

ORDER OF DISMISSAL

Blackburn, J.

This matter comes before the Court on the plaintiff's **Notice of Dismissal of Petition To Set Aside Foreclosure Sale, Cancel Note and Deed of Trust, Claim in Recoupment, Money Damages and Quiet Title Against All Known Defendants** [#7] filed December 17, 2009. After careful review of the notice and the file, I conclude that the notice should be approved and that this action should be dismissed without prejudice.

THEREFORE, IT IS ORDERED as follows:

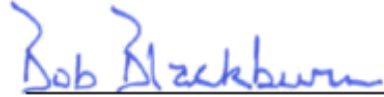
1. That the **Notice of Dismissal of Petition To Set Aside Foreclosure Sale, Cancel Note and Deed of Trust, Claim in Recoupment, Money Damages and Quiet Title Against All Known Defendants** [#7] filed December 17, 2009, is **APPROVED**;

2. That defendant BAC Home Loans Servicing, LP's **Motion To Dismiss Plaintiff's Complaint Pursuant to Fed. R. Civ. P. 12(b)(6)** [#5] filed December 18, 2009, is **DENIED AS MOOT**; and

3. That this action is **DISMISSED WITHOUT PREJUDICE.**

Dated February 9, 2010, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
Robert E. Blackburn
United States District Judge