

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-00322-MSK-KLM

STEPHEN C. HOLMES, an individual, and
MEGAN M. ROSE, an individual,

Plaintiffs,

v.

FIRST-CITIZENS BANK AND TRUST COMPANY, a North Carolina corporation,

Defendant.

MINUTE ORDER

ENTERED BY MAGISTRATE JUDGE KRISTEN L. MIX

This matter is before the Court on Defendant's **Motion to Dismiss the Complaint** [Docket No. 14; Filed March 26, 2012] (the "Motion"). In consideration of Plaintiffs' Notice of Dismissal of Claims Against First Citizens Bank and Trust Company [#19],

IT IS HEREBY **ORDERED** that the Motion [#14] is **DENIED without prejudice**.

Dated: August 13, 2012