

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

Civil Action No. 12-cv-00855-WYD-KMT

LANCE JOHNSON,

Plaintiff,

v.

COLORADO MILL EQUIPMENT, LLC, a Colorado limited liability company,

Defendant.

ORDER

THIS MATTER is before the Court on plaintiff, Lance Johnson's, motion to dismiss [ECF No. 22], filed on October 10, 2012. Johnson states that the parties have reached a settlement agreement and moves the Court to dismiss the present action without prejudice, and retain jurisdiction over the action to enforce the terms of the settlement agreement.

After careful consideration, I GRANT Johnson's motion to dismiss [ECF No. 22]. However, I exercise my discretion and will not retain jurisdiction over this action in order to enforce the parties' settlement agreement. Pursuant to D.C.Colo.LCivR 42.2¹, I ORDER that the Clerk of Court administratively close this action. This administrative closure is subject to reopening for good cause. Thus, if a party seeks to enforce the settlement agreement at a later date, it must move to reopen this action and show good cause therefor. Accordingly, it is

¹ Pursuant to D.C.Colo.LCivR 42.2, "[a] district judge or a magistrate judge exercising consent jurisdiction may direct the clerk to close a civil action administratively subject to reopening for good cause."

ORDERED that plaintiff, Lance Johnson's, motion to dismiss [ECF No. 22] is **GRANTED** and this action is **DISMISSED WITHOUT PREJUDICE**. It is

FURTHER ORDERED that the Clerk of Court shall administratively close this civil action.

Dated: November 29, 2012

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief U. S. District Judge