

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

Civil Action No. 13-cv-01060-REB-MJS

CAROL F. BRIGGS,

Plaintiff,

v.

FEDERAL HOME LOAN MORTGAGE CORPORATION, as Trustee,
WELLS FARGO BANK, N.A.,
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., and
DOES 1-10 inclusive,

Defendants.

ORDER GRANTING MOTION TO DISMISS

Blackburn, J.

This matter is before me on the **Pro Se Plaintiff's Motion To Withdraw Complaint** [#13]¹ filed May 16, 2013. The plaintiff filed her motion before any of the defendants served either an answer or motion for summary judgment. Under FED. R. CIV. P. 41(a)(1)(A), a plaintiff is entitled to dismiss her complaint without the consent of the court or the defendants if the notice of dismissal is filed before any of the defendants serve either an answer or motion for summary judgment. Thus, the plaintiff is entitled to dismiss her complaint under Rule 41(a)(1)(A).

THEREFORE, IT IS ORDERED as follows:

1. That the **Pro Se Plaintiff's Motion To Withdraw Complaint** [#13] filed May

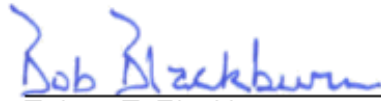
¹ “[#13]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

16, 2013, is **GRANTED**;

2. That under FED. R. CIV. P. 41(a), this case is **DISMISSED** without prejudice.

Dated May 20, 2013, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge