

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 14-cv-00404-CBS

ANDREA NOVELL,  
Plaintiff,  
v.CLEAN WITH INTEGRITY INC., d/b/a MAID FOR YOU,  
Defendant.

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ORDER

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Magistrate Judge Craig B. Shaffer

This civil action comes before the court on Plaintiff's Notice of Dismissal pursuant to F.R.C.P. 41(a)(1)(A)(i) (filed March 25, 2014) (Doc. # 11). The court has reviewed the Notice and the entire case file and is sufficiently advised in the premises. Defendant has not filed an answer or a motion for summary judgment. Under these circumstances, a voluntary dismissal is effective immediately upon the filing of a written notice of dismissal, and no subsequent court order is necessary. See *Hyde Constr. Co. v. Koehring Co.*, 388 F.2d 501, 507 (10th Cir. 1968) ("Rule 41(a)(1) provides for a dismissal without order of the court by filing a notice of dismissal at any time before service by the adverse party of an answer.") (internal quotation marks and citation omitted). See also *Janssen v. Harris*, 321 F.3d 998, 1000 (10th Cir. 2003) ("The filing of a notice of dismissal pursuant to Rule 41(a)(1)[(A)](i) does not require an order of the court.") (citation omitted); *Marex Titanic, Inc. v. The Wrecked & Abandoned Vessel*, 2 F.3d 544, 546 (4th Cir. 1993) (stating voluntary dismissal is "self-executing, i.e., it is effective at the moment the notice is filed with the clerk and no judicial approval is required"). Accordingly,

Plaintiff's Notice of Dismissal pursuant to F.R.C.P. 41(a)(1)(A)(i) (filed March 25, 2014)

(Doc. # 11) is self-executing upon filing and the Clerk of the Court shall dismiss this civil action.

DATED at Denver, Colorado, this 26th day of March, 2014.

BY THE COURT:

s/Craig B. Shaffer  
United States Magistrate Judge