

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
**Judge Philip A. Brimmer**

Civil Action No. 15-cv-02197-PAB-MEH

CHRISTOPHER CLOUSER and  
ANA CLOUSER,

Plaintiffs,

v.

SIERRA NEVADA CORPORATION, a Nevada corporation, and  
UNITED STATES OF AMERICA,

Defendants.

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**MINUTE ORDER**

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**Entered by Judge Philip A. Brimmer**

This matter is before the Court on plaintiff's Motion to Dismiss Without Prejudice and to Vacate Status/Scheduling Conference, which the Court construes as a notice of dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i). Plaintiff requests the entry of an order dismissing the case without prejudice. The notice, however, complies with Federal Rule of Civil Procedure 41(a)(1)(A)(i), which provides that the "plaintiff may dismiss an action *without a court order* by filing: . . . a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." (emphasis added). Therefore, the case was dismissed without prejudice as of the entry of the Motion to Dismiss. No order of dismissal is necessary.

DATED January 28, 2016.