

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

Civil Action No. 16-cv-00160-REB-MEH

MARQUISE DEMONT HARRIS,

Plaintiff,

v.

ADAMS COUNTY SHERIFFS DEPARTMENT,  
MICHAEL MCINTOSH, in his individual and official capacities,  
S. FULLER, in his individual and official capacities, and  
DEPUTY JOHN DOE, in his individual and official capacities,

Defendants.

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**ORDER OF DISMISSAL**

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**Blackburn, J.**

This matter is before me on the **Plaintiff Motion To Dismiss Complaint** [#21]<sup>1</sup> filed March 2, 2016. The motion is granted.

When filed, the motion to dismiss [#21] was referred [#22] to the assigned magistrate judge. Having gained the consent of the magistrate judge, I withdraw the reference [#22] of the motion and resolve it in this order.

The plaintiff asks that his complaint be dismissed under Fed. R. Civ. P. 41(a)(1)(A)(I), which permits a plaintiff to dismiss his or her complaint without a court order before the opposing party serves either an answer or a motion for summary judgment. None of the defendants has filed an answer or motion for summary

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<sup>1</sup> “[#21]” 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.

judgment. Procedurally, voluntary dismissal by the plaintiff is proper.

**THEREFORE, IT IS ORDERED** as follows:

1. That the **Plaintiff Motion To Dismiss Complaint** [#21] filed March 2, 2016, is granted;
2. That under Fed. R. Civ. P. 41(a)(1)(A)(I), this case is dismissed without prejudice; and
3. That this case is closed.

Dated March 9, 2016, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge