

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
	Civil Action No. 08-1345 (RMC))
)
8 GILCREASE LANE, QUINCY)
FLORIDA 32351, et al.,)
)
Defendants.)
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ORDER

On August 5, 2008, Plaintiff United States of America filed a Verified Complaint for Forfeiture *In Rem* against the defendants, certain real properties located in Quincy, Florida and Myrtle Beach, South Carolina, and personal properties consisting of approximately \$53 million in funds from Bank of America accounts. *See* Compl. ¶¶ 4-5. Plaintiff now moves to dismiss one of the defendant properties, namely, the real property captioned as “One Condo Located on North Ocean Boulevard in Myrtle Beach, South Carolina” (the “Myrtle Beach condo”).

In support of its motion, Plaintiff states that the Myrtle Beach condo “has never been served with a warrant of arrest *in rem*, nor has it been seized, or otherwise come into plaintiff’s possession.” Pl.’s Mem. in Supp. of Mot. to Dismiss (“Pl.’s Mem.”) [Dkt. # 160] at 2. Therefore, Plaintiff “no longer seeks forfeiture of the Myrtle Beach condo and has concluded that judicial economy dictates moving to dismiss it from this action.” *Id.* Dismissal is proper pursuant to Rule 41 of the Federal Rules of Civil Procedure, which provides that the Court may dismiss an action against any defendant before that defendant files any pleading, or upon motion of the plaintiff where proper. Fed. R. Civ. P. 41.

Accordingly, it is hereby

ORDERED that Plaintiff's Motion to Dismiss Defendant Property [Dkt. # 160] is
GRANTED; and it is

FURTHER ORDERED that the defendant captioned as "One Condo Located on North Ocean Boulevard in Myrtle Beach, South Carolina," is **DISMISSED** from this action.

SO ORDERED.

Date: November 20, 2009

/s/

ROSEMARY M. COLLYER
United States District Judge