

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MICHELLE A. DYER, an individual

Plaintiff,

v.

Case No: 2:11-cv-577-FtM-38DNF

STEWART TITLE GUARANTY  
COMPANY, GLOBAL COMMUNITY  
DEVELOPMENT, LLC, THE SQUAD  
d/b/a THE TITLE CONNECTION,  
LESLIE YOUNGER CUMMINGS,  
HARBOR FUNDING GROUP, INC.,  
and MICHAEL D. GARBER, ESQ.,

Defendants.

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**ORDER**<sup>1</sup>

This matter comes before the Court on Plaintiff Michelle A. Dyer's Notice of Voluntary Dismissal With Prejudice (Doc. #100) filed on October 7, 2014. [Rule 41\(a\)\(1\)\(A\) of the Federal Rules of Civil Procedure](#) allows a plaintiff to dismiss a case voluntarily without a court order. [Rule 41\(a\)\(1\)\(A\)](#) reads, in pertinent part, that

[s]ubject to Rules 23(e), 23.1, 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing: (i) A notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) A stipulation of dismissal signed by all parties who have appeared.

[Fed. R. Civ. P. 41\(a\)\(1\)\(A\)](#).

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In this instance, Defendant Harbor Funding Group, Inc. has not filed an answer or a motion for summary judgment; and Plaintiff voluntarily dismisses this case with prejudice under Rule 41(a)(1)(A)(i). (Doc. #100). The Court, therefore, dismisses this case with prejudice.


Accordingly, it is now

**ORDERED:**

(1) Plaintiff Michelle A. Dyer's Notice of Voluntary Dismissal With Prejudice (Doc. #100) is **GRANTED**.

(2) The Clerk of the Court is **DIRECTED** to enter judgment accordingly, terminate any pending motions, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 9th day of October, 2014.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record