

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CENTER FOR BIOLOGICAL
DIVERSITY, SIERRA CLUB, SOUTH
FLORIDA WILDLANDS ASSOCIATION,
WILDLANDS CPR and BRIAN SCHERF,

Plaintiffs,

v.

Case No: 2:13-cv-364-FtM-38DNF

SALLY JEWELL and JONATHAN B.
JARVIS,

Defendants.

ORDER¹

This matter comes before the Court on the Plaintiffs, Center for Biological Diversity, Sierra Club, South Florida Wildlands Association, WildEarth Guardians, and Brian Scherf and the Defendants, S.M.R. Jewell in her official capacity and Johnathon B. Jarvis' Stipulation of Dismissal ([Doc. #58](#)) filed on September 22, 2014. [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)](#), allows a plaintiff to dismiss a case without a court order. The Rule reads in pertinent part:

Subject 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

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- (ii) A stipulation of dismissal signed by all parties who have appeared.

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

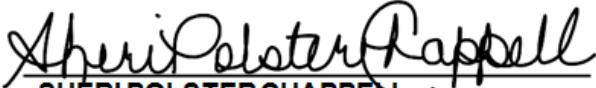
In this instance, the Plaintiffs inform the Court that they voluntarily dismiss the Complaint. No answer or summary judgment has been filed, therefore; the case is due to be dismissed.

Accordingly, it is now

ORDERED:

The Plaintiffs, Center for Biological Diversity, Sierra Club, South Florida Wildlands Association, WildEarth Guardians, and Brian Scherf and the Defendants. S.M.R. Jewell in her official capacity and Johnathon B. Jarvis' Stipulation of Dismissal ([Doc. #58](#)) is **GRANTED**. The case is hereby **DISMISSED**. The Clerk of the Court is directed to enter judgment accordingly, terminate all pending motions, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 5th day of November, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record