

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

RALEIGH SCOTT,

Plaintiff,

v.

Case No: 2:13-cv-366-FtM-38DNF

COASTAL QSR, LLC,

Defendant.

ORDER

This matter comes before the Court on the Plaintiff, Raleigh Scott's Notice of Voluntary Dismissal (Doc. #10) filed on June 12, 2013. The Plaintiff gives notice to the Court that he voluntarily dismisses the Complaint with prejudice. Federal Rule of Civil Procedure 41(a)(1)(A), allows a plaintiff to voluntarily dismiss a case without a court order as long as an answer or summary judgment has not been filed. 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
- (ii) A stipulation of dismissal signed by all parties who have appeared.

Fed. R. Civ. P. 41(a)(1)(A).

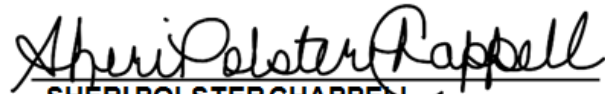
In this instance, no answer or summary judgment has been filed, therefore; the case is due to be dismissed.

Accordingly, it is now

ORDERED:

The Plaintiff, Raleigh Scott's Complaint (Doc. # 1) is **DISMISSED with prejudice** and the Clerk of the Court is directed to **CLOSE** the case and terminate all deadlines and any outstanding motions.

DONE and **ORDERED** in Fort Myers, Florida this 13th day of June, 2013.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record