

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

DIANE PEASE,

Plaintiff,

v.

Case No: 2:14-cv-254-FtM-38CM

J.C. PENNEY CORPORATION, INC.,

Defendant.

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

This matter comes before the Court on the Plaintiff, Diane Pease's Notice of Voluntary Dismissal with Prejudice ([Doc. #20](#)) filed on October 6, 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
- (ii) A stipulation of dismissal signed by all parties who have appeared.

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

In this instance, the Plaintiff informs the Court that she voluntarily dismisses the Complaint with prejudice.

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Accordingly, it is now

**ORDERED:**

The Plaintiff, Diane Pease's Notice of Voluntary Dismissal with Prejudice ([Doc. #20](#)) is **GRANTED**. This case is **DISMISSED** with prejudice. 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 7th day of October, 2014.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record