

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

NICKOLAS KOVTUSCHENKO,

Plaintiff,

v.

Case No: 2:17-cv-304-FtM-38MRM

CHARLOTTE COUNTY CODE
ENFORCEMENT, RONELLE MORE,
GLEN SIEGLE, KEN DOHERTY,
CHRISTOPHERN CONSTANCE,
BILL TRUEX, STEPHEN R.
DEUTSCH, JOE TISEO, ALL
COMERS and CHARLOTTE
COUNTY,

Defendants.

ORDER¹

This matter comes before the Court on Plaintiff Nickolas Kovtuschenko's Motion to Dismiss filed on June 15, 2017. ([Doc. 6](#)). Plaintiff, who is appearing *pro se*, seeks to dismiss his suit against Defendants Charlotte County, Charlotte County Code Enforcement, and all comers. [Federal Rule of Civil Procedure 41](#) allows a plaintiff to dismiss an action without court order by filing a notice of dismissal before the opposing party serves an answer or a motion of summary judgment. See [Fed. R. Civ. P. 41\(a\)\(i\)](#).

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

Alternatively, an action may be dismissed at the plaintiff's request by court order. See [Fed. R. Civ. P. 41\(a\)\(2\)](#). Under either procedure, the Court finds good cause to dismiss Plaintiff's case as against Defendants Charlotte County, Charlotte County Code Enforcement, and all comers without prejudice. It is unclear, however, whether Plaintiff intends to proceed with this action against the other named defendants.

Accordingly, it is now

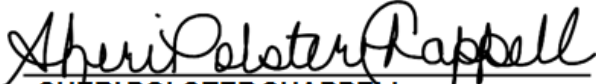
ORDERED:

(1) Plaintiff Nickolas Kovtuschenko's Motion to Dismiss ([Doc. 6](#)) is **GRANTED**.

Defendants Charlotte County, Charlotte County Code Enforcement are **DISMISSED** from this case.

(2) Plaintiff must file a written notice with the Court on or before **June 30, 2017**, advising whether he dismisses this case against the other named defendants, or if he intends to proceed with this case against them.

DONE and **ORDERED** in Fort Myers, Florida this 17th day of June, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record