

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

KAREEN WALSHAED MCNEAL,

Plaintiff,

v.

Case No.: 2:18-cv-808-FtM-99UAM

WELLPATH RECOVERY
SOLUTIONS, DONALD SAWYER,
PH. D., MICHAEL JOHNSON, JON P
CARNER, HUGH JAYNE and
DOTTIE RIDDLE,

Defendants.

OPINION AND ORDER¹

Before the Court is Plaintiff Kareen Walshaed McNeal's Motion to Dismiss Civil Rights Complaint ([Doc. 9](#)) filed on May 9, 2019. No response in opposition has been filed. Plaintiff who has been civilly committed to the Florida Civil Commitment Center (FCCC) in Arcadia, Florida voluntarily moves to dismiss this action without prejudice stating that the matter has been resolved.

[Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)](#), allows a plaintiff to dismiss a case without a court order. The Rule reads:

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.

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:

A notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or

A stipulation of dismissal signed by all parties who have appeared.

[Fed. R. Civ. P. 41\(a\)\(1\)\(A\)](#). No answer or summary judgment has been filed, therefore; this case is due to be dismissed.

Accordingly, it is now

ORDERED:

1. Plaintiff Kareen Walshaed McNeal's Motion to Dismiss Civil Rights Complaint ([Doc. 9](#)) is **GRANTED**.
2. The Case is hereby **DISMISSED** without prejudice.
3. The Clerk of Court shall enter judgment accordingly, terminate any pending motions and deadlines, and close the case.

DONE and **ORDERED** in Fort Myers, Florida this 28th day of June 2019.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

SA: FTMP-2

Copies:
All Parties of Record