

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

LUIS DEJESUS,

Plaintiff,

v.

Case No. 5:15-cv-170-Oc-32PRL

FIRST ACCEPTANCE INSURANCE
COMPANY, INC.,

Defendant.

ORDER

This case is before the Court on Plaintiff's Notice of Voluntary Dismissal with Prejudice (Doc. 6). The notice purports to dismiss the case with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). Rule 41(a)(1)(A), however, only allows a plaintiff to unilaterally dismiss a case without court order before the defendant has answered or moved for summary judgment; otherwise, the plaintiff needs a stipulation signed by all parties who have appeared in order to dismiss the case without court order. Fed. R. Civ. P. 41(a)(1)(A). Defendant filed an answer in this case on April 24, 2015 (Doc. 4), and the notice is signed only by the plaintiff. So, if the plaintiff intends to dismiss this case without court order, he will need to file a stipulation signed by both parties.

Accordingly, it is hereby

ORDERED:

Plaintiff's Notice of Voluntary Dismissal with Prejudice (Doc. 6) is **DENIED**.

DONE AND ORDERED at Jacksonville, Florida this 11th day of June, 2015.


TIMOTHY J. CORRIGAN
United States District Judge

bjb
Copies:

Counsel of record