

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

DANIELLE JACOBS,

Plaintiff,

vs.

Case No: 1:12-cv-85-MP-GRJ

TAKHAR COLLECTION SERVICES, LTD.,
DOE 1,

Defendants.

ORDER

Pending before the Court is Doc. 12, Plaintiff's Notice of Voluntary Dismissal as to Doe 1. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), a plaintiff may voluntarily 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. The effect of such a voluntary dismissal by a plaintiff is that the dismissal is without prejudice, unless the plaintiff has previously dismissed any federal or state court action based on or including the same claim. FED. R. CIV. P. 41(a)(1)(B).

In this instance, it does not appear that Defendant Doe 1 has been served, and it does not appear that Plaintiff has previously dismissed any action based on the same claim.

Accordingly, upon due consideration, it is **ORDERED** that:

Pursuant to Plaintiff's Notice of Voluntary Dismissal, Doc. 12, the claims against Defendant Doe 1 are **DISMISSED WITHOUT PREJUDICE**. The Clerk is instructed to make the appropriate notation on the docket. The claims will proceed against Defendant Takhar Collection Services, Ltd.

DONE AND ORDERED this 18th day of September 2012.

s/ Gary R. Jones

GARY R. JONES
United States Magistrate Judge