

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

BRANDON ANDREW WALL,

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Plaintiff,

\*

v.

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CV 114-199

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DAVID JUNIOR MANSFIELD;

\*

WILLIAMS MOVING COMPANY;

\*

and VANLINER INSURANCE COMPANY,

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Defendants.

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O R D E R

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On September 16, 2016, Plaintiff and Defendants filed their Stipulation of Dismissal seeking to dismiss Plaintiff's claims against Defendants with prejudice. (Doc. 47.) The stipulation is signed by all named parties to the case, but is not signed by an interested party, State Farm Fire and Casualty Company ("State Farm"), who has filed a responsive pleading and crossclaim in this action.<sup>1</sup> (Id. at 2; Doc. 8.) Accordingly, on January 9, 2017, the Court entered an Order directing State Farm to show cause as to why the Court should not: (a) dismiss Plaintiff's claims against Defendants; (b) dismiss State Farm's crossclaim; and (c) close this case (the "Show Cause Order").

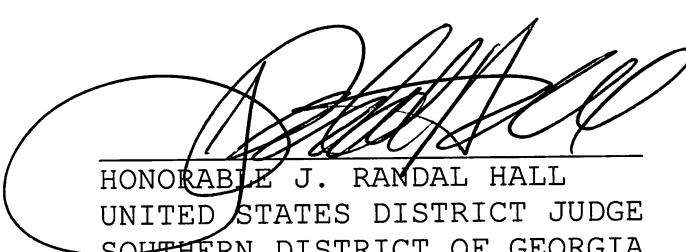
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<sup>1</sup> State Farm alleges that it is "the alleged uninsured motorist liability carrier for [Plaintiff]." (Doc. 8, at 1.) In Georgia, a plaintiff's uninsured motorist liability insurer may file pleadings and take other actions as a matter of right in certain specified cases. See O.C.G.A. § 33-7-11.

(Doc. 48.) On January 20, 2017, State Farm filed its response to the Show Cause Order, in which it states that it consents to the dismissal of Plaintiff's claims with prejudice, the dismissal of its crossclaim without prejudice, and the closure of this case. (Doc. 49.)

Upon due consideration, the Court finds that dismissal is appropriate under Federal Rule of Civil Procedure 41(a)(2). **IT IS THEREFORE ORDERED** that: (a) Plaintiff's claims against the Defendants are **DISMISSED WITH PREJUDICE**; and (b) State Farm's crossclaim is **DISMISSED WITHOUT PREJUDICE**. The Clerk is directed to **TERMINATE** all motions and deadlines and **CLOSE** this case. Each party shall bear their own costs.

**ORDER ENTERED** at Augusta, Georgia, this 23<sup>rd</sup> day of January, 2017.



HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA