

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

BELINDA LEE MALEY,)
individually, and on behalf)
of the Estate of Matthew)
Clinton Loflin, deceased;)

Plaintiff,)

CASE NO. CV416-060

v.)

CORIZON HEALTH, INC., a)
Delaware Corporation;)
CORIZON, LLC, a Missouri)
Limited Liability Company;)
CHATHAM COUNTY, a Georgia)
County; ESTATE OF AL ST)
LAWRENCE; JOHN WILCHER,)
individually and in his)
official as CCDC Jail)
Administrator; SCOTT H.)
KENNEDY, M.D.; ADAMAR)
GONZALEZ, M.D.; and VIRGINIA)
O'NEILL;)

Defendants.)

FILED
 U.S. DISTRICT COURT
 SAVANNAH DIV.
 2016 AUG 31 AM 11:14
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 S. DIST. DIV.

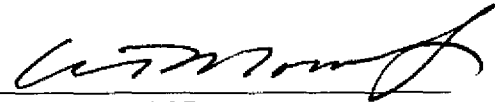
ORDER

Before the Court is Plaintiff's Notice of Dismissal as to Defendant Gonzales Without Prejudice. (Doc. 16.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment."¹ Because Defendant Adamar

¹ Fed. R. Civ. Pro 41(a)(1)(A)(i) allows a plaintiff to dismiss an action "against one defendant without dismissing

Gonzalez, M.D. has filed neither an answer nor a motion for summary judgment in this case, Plaintiffs' request is **GRANTED** and Defendant Gonzalez is **DISMISSED WITHOUT PREJUDICE**. The Clerk of Court is **DIRECTED** to amend the caption accordingly.

SO ORDERED this 31st day of August 2016.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA

the entire action." Fratelli Cosulich Unipessoal, S.A. v. Specialty Fuels Bunkering, LLC, 2014 WL 2611547, at *3 (S.D. Ala. June 11, 2014) (citing Klay v. United Healthgroup, Inc., 376 F.3d 1092, 1106 (11th Cir. 2004)).