

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

RAYMOND GERGOWICZ,

Plaintiff,

v.

CLEAR DEBT SOLUTIONS, LLC, and
CDS ASSOCIATES, INC.,

Defendants.

Case No. 09-cv-767-JPG

MEMORANDUM & ORDER

This matter comes before the Court on Plaintiff Raymond Gergowicz's Motion (Doc. 8) for voluntary dismissal without prejudice. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff has an absolute right to dismiss an action without a court order at any time before an adverse party's service of an answer or a motion for summary judgment, whichever first occurs. Defendants have not yet filed an answer or motion for summary judgment in this case. The Court therefore **GRANTS** the instant motion and **DISMISSES without prejudice** all of Gergowicz's claims in this matter. The Court **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.**DATED: January 25, 2010**

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE