

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

BANK OF AMERICA, N.A.,

Plaintiff,

vs.

ERIK P. WIEDOWER, UNITED STATES OF
AMERICA, KEEBLER OAKS
HOMEOWNERS ASSOCIATION, and
UNKNOWN OWNERS AND NON-RECORD
CLAIMANTS,

Defendants.

Case No. 12-cv-809-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff's voluntary dismissal (Doc. 13). Federal Rule of Civil Procedure 41(a)(1)(A) provides that a plaintiff may dismiss an action without a court order by filing a stipulation of dismissal or a notice of dismissal before the opposing party answers. Here, defendant United States of America has stipulated to the dismissal. The remaining defendants have not filed an answer. Because plaintiff has an absolute right to dismiss this case, this case is **DISMISSED**. The Court further **DIRECTS** the Clerk of Court to close the case.

IT IS SO ORDERED.

DATED: December 19, 2012

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