

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Civil No. 13-cv-476-JPG-SCW
)	
MELINDA J. EBEL,)	
and DANA S. FRAZIER,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This matter coming on the government's Motion to Dismiss defendant Dana S. Frazier (Doc. 4), which the Court construes as a notice of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Rule 41(a)(1)(A)(i) allows a plaintiff to dismiss an action against a defendant without a court order at any time before the opposing party serves an answer or a motion for summary judgment. Defendant Frazier has not served an answer or motion for summary judgment in this case. Because the plaintiff has an absolute right to dismiss this case against defendant Frazier at the present time, the Court finds that all claims against defendant Frazier are **DISMISSED with prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case. Defendant Frazier is terminated as a party to this case.

IT IS SO ORDERED.
DATED: June 20, 2013

s/J. Phil Gilbert

J. PHIL GILBERT
United States District Judge