

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA**

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| CASSANDRA AXSON, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CAUSE NO.: 1:16-CV-343-TLS |
| |) | |
| JORGE ORTIZ, |) | |
| <i>(United States of America in substitution</i> |) | |
| <i>For Jorge Ortiz, effective as of 10/5/16)</i> |) | |
| |) | |
| Defendant. |) | |

OPINION AND ORDER

This matter is before the Court on the Government’s Motion for Reconsideration [ECF No. 24] and Memorandum of Law in Support of the Motion for Reconsideration [ECF No. 25], both filed on May 25, 2017. Upon review of the Government’s briefings, it is the Court’s understanding that the Government is requesting reconsideration of the Court’s May 18, 2017 Order [ECF No. 22], which dismissed the Plaintiff’s Complaint [ECF No. 4] without prejudice. The Government argues that the Plaintiff should not be given leave to refile and thus, appears to seek dismissal of the Complaint *with prejudice*. However, the Government’s briefings include a clerical error requesting the Court to dismiss the Complaint *without prejudice*.¹

Accordingly, the Court directs the Government to file a notice of correction of the clerical error if it wishes to pursue its Motion for Reconsideration.

¹ (*See* Mem. of Law in Supp. of Mot. to Recons. 1 (“This [C]ourt should reconsider its order allowing Plaintiff to amend the complaint and dismiss the entire complaint *in tota[l]* without prejudice”), ECF No. 25; *Id.* at 9 (“[T]his Court should dismiss Plaintiff’s suit without prejudice and terminate the case.”)).

SO ORDERED on July 6, 2017.

s/ Theresa L. Springmann
CHIEF JUDGE THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT