

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

	*
BLUEBELL BUSINESS LTD.,	*
Plaintiff/Counter-Defendant,	*
v.	*
	Civil Action No. RDB-17-2150
MICHAEL JONES,	*
Defendant/Counter-Plaintiff.	*
*   *   *   *   *   *   *   *   *   *   *   *	

**MEMORANDUM ORDER**

Currently pending are Defendant Michael Jones’s Voluntary Motion to Dismiss Counterclaims and Dismiss Case (ECF No. 99), Bluebell’s response consenting to Mr. Jones’s Motion for Voluntary Dismissal and requesting the dismissal of its claims (ECF No. 101), and Defendant Jones’s Motion for Referral for Potential Criminal Investigation (ECF No. 103). The parties’ submissions have been reviewed and no hearing is necessary. *See* Local Rule 105.6 (D. Md. 2021). For the following reasons, both parties’ requests for dismissal are **GRANTED**, and Jones’s Motion for Referral for Criminal Investigation is **DENIED**.

First, Jones’s Voluntary Motion to Dismiss is granted with the consent of the parties. On April 12, 2022, Plaintiff Bluebell Business, Ltd., consented to the dismissal of Jones’s counterclaims, and “reciprocally move[d] for the simultaneous dismissal of its claims against Mr. Jones.” (Pl.’s Resp. Consenting to Mot. Dismiss, ECF No. 101.) As both requests are unopposed, Jones’s Voluntary Motion to Dismiss and Bluebell’s request for dismissal are **GRANTED**, and all claims are dismissed with prejudice.

Second, Jones’s Motion for Referral for Potential Criminal Investigation is not legally cognizable. Through this Motion, Jones asks this Court to refer Bluebell to the Department of Justice and the Maryland State’s Attorney to investigate his allegations of “criminal fraud, theft of money, and extortion.” (ECF No. 103.) However, “in American jurisprudence . . . , a private citizen lacks a judicially cognizable interest in the prosecution or nonprosecution of another.” *Linda R.S. v. Richard D.*, 410 U.S. 614, 619 (1973); *see, e.g., Downey v. United States*, No. 2:19-cv-00497, 2019 WL 6522969, at \*1 (S.D.W.Va. Dec. 3, 2019) (“Plaintiff’s Motion to Refer Criminal Case to the U.S. Attorney . . . ‘is not cognizable because no citizen has an enforceable right to institute a criminal proceeding.’” (quoting *Johnson v. Gray*, No. CIV A 305-2064-SB, 2007 WL 201029, at \*1 n.2 (D.S.C. Jan. 22, 2007)). Accordingly, Jones’s motion is **DENIED**.

Upon consideration of Defendant Michael Jones’s Voluntary Motion to Dismiss Counterclaims and Motion to Dismiss Case (ECF No. 99), Bluebell’s request for dismissal (ECF No. 101), and Jones’s Motion for Referral for Potential Criminal Investigation (ECF No. 103), it is hereby **ORDERED** that:

1. Defendant’s Voluntary Motion to Dismiss Counterclaims and Motion to Dismiss Case (ECF No. 99), and Plaintiff’s request for dismissal of its claims against Defendant (ECF No. 101), are **GRANTED**, and all claims are dismissed with prejudice;
2. Defendant’s Motion for Referral for Potential Criminal Investigation (ECF No. 103) is **DENIED**;
3. The clerk is directed to **CLOSE** this case.

Date: May 13, 2022

\_\_\_\_\_/s/  
Richard D. Bennett  
United States Senior District Judge