

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KELLY NANKERVIS,

Plaintiff,

Case No. 17-cv-11175

Hon. Matthew F. Leitman

v.

MATT GOEBEL, *et al.*,

Defendants.

ORDER OF DISMISSAL

Plaintiff Kelly Nankervis passed away during the pendency of this action. On January 3, 2019, counsel for Nankervis filed a suggestion of death pursuant to Federal Rule of Civil Procedure 25(a)(1). (*See* ECF No. 39.) Counsel for Nankervis served the suggestion of death on all parties on June 10, 2019. (*See* ECF No. 42.)

As of the date of this order, neither any party to this action nor Nankervis' successor or representative has filed a motion for substitution. Accordingly, pursuant to Federal Rule of Civil Procedure 25(a)(1), the Court must dismiss this action. Nankervis' claims against the Defendants are therefore **DISMISSED**.

IT IS SO ORDERED.

Dated: October 17, 2019

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on October 17, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda _____
Case Manager
(810) 341-9764