

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RONALD TRIEBWASSER, Individual, )  
MY HOME ADDRESS, INC., and )  
RONALD TRIEBWASSER, President, )  
 )  
Plaintiffs, )  
 )  
v. )  
 )  
SECURITY STATE BANK, and )  
JAMES DAUGHERTY, Individual, )  
 )  
Defendants. )

CASE NO. 8:11CV306

MEMORANDUM  
AND ORDER

This matter is before the court on Plaintiffs' Notice of Dismissal, which the court liberally construes as a Motion for Voluntary Dismissal, filed pursuant to [Federal Rule of Civil Procedure 41](#). (Filing No. [9](#).) In their Notice, Plaintiffs seek dismissal of the Complaint without prejudice. (*Id.*) Defendants have not yet filed answers or other responsive pleadings, and the court finds that voluntary dismissal is warranted under the circumstances.

IT IS THEREFORE ORDERED that:

1. Plaintiffs' Notice of Dismissal, construed as a Motion for Voluntary Dismissal, (Filing No. [9](#)) is granted. Plaintiffs' claims are dismissed without prejudice; and
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 3<sup>rd</sup> day of October, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

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