

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

ERIK KHAN,

Plaintiff,

vs.

No. CV 15-01151 MV/SMV

CHRIS BARELA, BOARD OF COUNTY COMMISSIONERS  
OF DONA ANA COUNTY, ARAMARK CORPORATION,  
CORIZON MEDICAL SERVICES, ELVA BRIGHT,  
BILL STICKLES, JOHN DOE (BEAM),  
JASON DURAN, and TAMMY RUSH,

Defendants.

**MEMORANDUM OPINION AND ORDER**

THIS MATTER comes before the Court on Plaintiff's *pro se* Motion to Dismiss Action Against David Beam and Bill Stickles [Doc. 130]. Neither Beam nor Stickles has filed a response in opposition to the Motion. The Court finds that the Motion is well-taken and shall be granted.

IT IS THEREFORE ORDERED as follows:

- (1) This action is dismissed with prejudice as against David Beam and Bill Stickles pursuant to Rule 41(a) of the Federal Rules of Civil Procedure;
- (2) Defendants David Beam and Bill Stickles' Rule 12(b)(1) and Rule 12(b)(6) Motion to Dismiss Plaintiff's Third Amended Complaint [Doc. 112] is found as moot; and
- (3) The Clerk of this Court shall terminate Beam and Stickles from this action.

  
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HONORABLE MARTHA VÁZQUEZ  
UNITED STATES DISTRICT JUDGE