

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:10cv303-RJC-DCK**

MARIANO H. OSPINA,

Plaintiff,

v.

**PLANTATION PARK AT BALLANTYNE,
RIVERSTONE RESIDENTIAL GROUP,
and LISA STACKENWALT,**

Defendants.

ORDER

THIS MATTER is before the Court on the plaintiff’s motion for voluntary dismissal (Doc. No. 12). In his motion, the plaintiff seeks dismissal of his complaint with prejudice. As no opposing party has filed an answer or motion for summary judgment, the Court treats this motion as a notice of dismissal under Federal Rule of Civil Procedure 41(a)(1). Thus the plaintiff’s complaint was dismissed with prejudice by the filing of the instant motion, without the need for a court order.

IT IS, HEREBY, ORDERED that all unresolved motions in this case are hereby **DENIED** as moot, and the Clerk of Court shall close this case.

Signed: August 23, 2010



Robert J. Conrad, Jr.
Chief United States District Judge

