

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.,
PELVIC REPAIR SYSTEM
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

THIS DOCUMENT RELATES TO

CYNTHIA KIEL,

Plaintiff,

v.

Civil Action No. 2:15-cv-11448

ETHICON, INC., and
JOHNSON & JOHNSON,

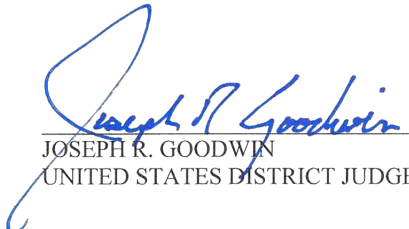
Defendants.

MEMORANDUM OPINION AND ORDER

Plaintiff, Cynthia Kiel's counsel filed this civil action on July 22, 2015, [ECF No. 1]. On November 26, 2018, plaintiff's counsel filed a Suggestion of Death noting the death of plaintiff Cynthia Kiel on May 1, 2015. Because the plaintiff was deceased prior to the time this case was filed, she cannot bring a lawsuit in her own name. "[A] lawsuit filed in the name of a deceased individual is a nullity over which this Court has no jurisdiction." *In re Engle Cases*, No. 3:09-cv-1000-J-32JBT, 2013 WL 8115442, at *2 (M.D. Fla. Jan. 22, 2013). Accordingly, the court **ORDERS** that this case is **DISMISSED** without prejudice and **STRICKEN** from the docket of this court.

The court **DIRECTS** the Clerk to file a copy of this Order and to send a copy of this Order to counsel and any unrepresented party.

ENTER: June 11, 2020


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE