

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA
ex rel. ANGELA D'ANNA,
KRISTLE THAYER

Relator,

v.

Case No: 2:22-cv-449-SPC-NPM

SOUTH FLORIDA NUCLEAR
GROUP LLC and DAVID A. SMITH,

FILED UNDER SEALED

Defendants.

_____/

ORDER

Before the Court is the Relator Kristle Thayer's Voluntary Motion to Dismiss Without Prejudice, filed in camera and under seal, brought under Federal Rule of Civil Procedure 41. (Doc. 15). The United States "does not oppose the dismissal of this action." (Doc. 15 at 2); *see also* 31 U.S.C. § 3730(b)(1).

Rule 41(a)(1)(A)(i) allows a plaintiff to dismiss an action voluntarily, without a court order, before the opposing party serves an answer or a motion for summary judgment. This dismissal is effective on filing. *See Anago Franchising, Inc. v. Shaz, LLC*, 677 F.3d 1272, 1278 (11th Cir. 2012). Thus, per Rule 41, the Court dismisses this case without prejudice.

Accordingly, it is

ORDERED:

(1) Relator Kristle Thayer's Voluntary Motion to Dismiss Without Prejudice (Doc. 15) is **GRANTED**.

(2) The above-captioned case is **DISMISSED** without prejudice.

(3) The Clerk is **DIRECTED** to terminate any deadlines and close the file.

DONE and **ORDERED** in Fort Myers, Florida on February 2, 2024.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: Counsel for Relator
Chad C. Spraker, AUSA