

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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RAYMOND JAREMA, :
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 Plaintiff, :
 :
 v. : Civ. No. 3:06CV01332 (AWT)
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 STATE OF CONNECTICUT, :
 DEPARTMENT OF PUBLIC HEALTH :
 REGULATORY SERVICES BRANCH, :
 DRINKING WATER SECTION :
 :
 Defendant. :
 :
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ORDER RE PLAINTIFF'S MOTION TO DISMISS

The plaintiff has moved to dismiss all claims in his Amended Complaint without prejudice pursuant to Fed. R. Civ. P. 41(a)(2). The motion states that the defendant was contacted regarding a stipulated dismissal pursuant to Rule 41(a)(1)(ii), but would not agree to dismissal without prejudice. However, the court notes that neither an answer nor a motion for summary judgment were filed by the defendant in this case. Therefore, the plaintiff could obtain a dismissal merely by filing a notice of dismissal pursuant to Rule 41(a)(1)(i). Under these circumstances, the court finds that dismissal pursuant to Rule 41(a)(2) is appropriate. Accordingly, the Plaintiff's Motion to Dismiss (Doc. No. 24) is hereby GRANTED and all claims are dismissed without prejudice.

The Clerk shall close this case.

It is so ordered.

Dated this 20th day of January 2007 at Hartford, Connecticut.

/s/AWT
Alvin W. Thompson
United States District Judge