

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 06-CV-673-GKF-FHM
)	
STATE OF OKLAHOMA, et al.,)	
)	
Defendants.)	

ORDER

This matter comes before the court upon the Motion to Dismiss (Dkt. #272) of the defendants.

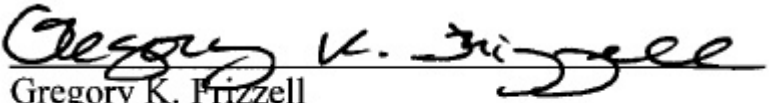
The plaintiff has not responded to the Motion to Dismiss. Normally, under Local Rule 7.2(f) the plaintiff would be given an additional fourteen days to respond to this dispositive motion before it was deemed confessed. However, counsel for the plaintiff has indicated that although they are not willing to sign off on a joint stipulation of dismissal, they take no position on the motion to dismiss and do not plan to file a response to the motion. (Dkt. #272, p.2).

By its terms, the Consent Decree (Dkt. #258) ended three years after entry by the court. (Dkt. #258, p.28, ¶114). The Consent Decree thus expired on September 9, 2011. The Consent Decree further states that “[u]nder no circumstances will this Consent Decree be extended beyond the three (3) year period, unless by agreement of the parties and the Court that some portion of the Consent Decree needs to be extended for compliance.” *Id.* By its Opinion and Order of September 21, 2011, the court declined to extend the consent decree. (Dkt. #271).

Because the Consent Decree has expired, and the defendants have satisfied the judgment, the case is dismissed with prejudice.

WHEREFORE, the Motion to Dismiss (Dkt. #272) is granted.

DATED this 18th day of November, 2011.

A handwritten signature in black ink that reads "Gregory K. Frizzell". The signature is written in a cursive style with a horizontal line drawn through the middle of the text.

Gregory K. Frizzell
United States District Judge
Northern District of Oklahoma