

FILED  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

2010 NOV -2 AM 11:45

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**ATTORNEY FOR DEFENDANTS**

APPROVED, this 2<sup>nd</sup> day of November, 2010.

  
\_\_\_\_\_  
JAMES E. GRAHAM  
UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION**

TRACY ANTHONY MILLER,	)	
	)	
Plaintiff,	)	
	)	CIVIL ACTION NO.
vs.	)	
	)	CV698-109-JEG
HUGH SMITH, et. al.,	)	
	)	
Defendants.	)	
_____	)	

**STIPULATION OF DISMISSAL WITH PREJUDICE**

COMES NOW the Plaintiff, with the express consent and permission of the Defendants in the referenced litigation and hereby stipulates that the above-styled action be dismissed with prejudice, pursuant to FED. R. CIV. P. 41(a)(1), with the Parties to bear their own costs.

Respectfully submitted, this 1st day of November, 2010.

/s/ Sarah M. Shalf  
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John H. Rains IV  
Georgia Bar No. 556052

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SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION**

TRACY ANTHONY MILLER,	)	
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	)	CIVIL ACTION NO.
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Defendants.	)	
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Respectfully submitted, this 1st day of November, 2010.

/s/ Sarah M. Shalf  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION

FILED  
U.S. DISTRICT COURT  
SUNSWICK DIV.

2010 SEP 14 PM 4:3

TRACY ANTHONY MILLER,

Plaintiff,

v.

HUGH SMITH, et. al.,

Defendants.

CIVIL ACTION NO.  
CV698-109

CLERK  
SO. DIST. OF GA.

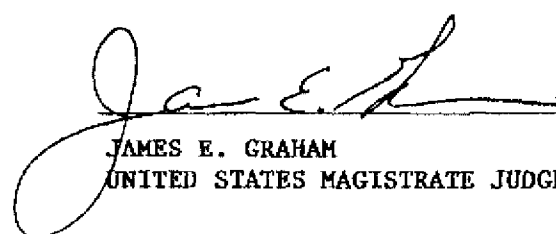
**ORDER**

The Court has been advised by counsel for the parties that the above-captioned case has been settled.

Accordingly, the Court directs the Clerk to **ADMINISTRATIVELY CLOSE** this action. See Heape v. Flanagan, CV607-12, 2008 WL 2439736 (S.D. Ga. June 9, 2008).

Within sixty days of the date this order is entered, the parties may present a dismissal judgment, pursuant to Federal Rule of Civil Procedure 41(a)(2), incorporating the terms of the parties' settlement, so the Court may retain jurisdiction to enforce the agreement. If the parties fail to file a dismissal judgment as described above, the Court will dismiss the case with prejudice. Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 381-82 (1994).

SO ORDERED, this 14<sup>th</sup> day of September, 2010 .

  
\_\_\_\_\_  
JAMES E. GRAHAM  
UNITED STATES MAGISTRATE JUDGE