

In the United States Court of Federal Claims

No. 20-737C
(Filed: April 19, 2022)

 JOSHUA J. ANGEL, *
 *
 Plaintiff, *
 *
 v. *
 *
 THE UNITED STATES, *
 *
 Defendant. *


ORDER

On April 18, 2022, plaintiff filed a “Notice of Voluntary Dismissal Pursuant to F.R.C.P. 41(a)(1)(A)(i).” The clerk is directed to strike the notice, as explained below.

In its order of April 18, 2022, the court noted that plaintiff mistakenly relied on the Federal Rules of Civil Procedure (“F.R.C.P.”), rather than the Rules of the United States Court of Federal Claims (“RCFC”), in his filing of April 14, 2022.¹ The court then gave specific instruction as to the filing of a notice of voluntary dismissal: “[T]he court cannot permit plaintiff to confound a notice of voluntary dismissal under RCFC 41(a)(1)(A)(i), with a stipulation of dismissal under RCFC 41(a)(1)(A)(ii). Because plaintiff is acting unilaterally, his only option for dismissal of this case is to file a notice of voluntary dismissal under RCFC 41(a)(1)(A)(i).” Despite this instruction, plaintiff’s notice continues to rely on F.R.C.P. 41(a)(1)(A)(i). That rule cannot be used to dismiss a case in this court.

Accordingly, the clerk is directed to **STRIKE** plaintiff’s notice filed April 18, 2022. The clerk is directed to reject any filings in this case, other than a properly filed notice of voluntary dismissal, until the parties file their joint status report.

IT IS SO ORDERED.



 MARGARET M. SWEENEY
 Senior Judge

¹ The order contained a typographic error in that date.