

**FILED**

January 27, 2023

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

BY: Laura Loera  
DEPUTY

|  |   |                          |
|--|---|--------------------------|
| ERIK SALAIZ,   | § |                          |
|  | § |                          |
| <b>Plaintiff,</b>  | § |                          |
|  | § |                          |
| v.   | § |                          |
|  | § |                          |
| ALLEVIATE TAX, LLC a California Limited<br>Liability Company | § | <b>EP-22-CV-0340-DCG</b> |
|  | § |                          |
| <b>Defendant.</b>  | § |                          |
|  | § |                          |

**PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE**

**TO THE HONORABLE COURT AND ALL PARTIES:**

With Defendant Alleviate Tax, LLC neither having answered nor filed a motion to dismiss or for summary judgment, Plaintiff Erik Salaiz, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), hereby dismisses this action with prejudice, with each party to bear its own costs, attorneys’ fees, and other fees. *See, e.g., Bailey v. Shell Western E&P, Inc.*, 609 F.3d 710, 719 (5th Cir. 2010) (holding the plaintiff has an “absolute right” to a Rule 41(a)(1) dismissal, which right “may not be extinguished or circumscribed by adversary or court”) (internal quotation marks and citations omitted).

Dated: January 27, 2023,

Respectfully submitted,



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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION

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|--|--|---|
| <hr/>  |  |   |
| <b>ERIK SALAIZ,</b>                            |  | § |
|  |  | § |
|  |  | § |
| <b>Plaintiff,</b>                              |  | § |
|  |  | § |
| <b>v.</b>                                      |  | § |
|  |  | § |
| <b>ALLEVIATE TAX, LLC</b> a California Limited |  | § |
| Liability Company                              |  | § |
|  |  | § |
|  |  | § |
| <b>Defendant.</b>                              |  | § |
| <hr/>  |  | § |

**EP-22-CV-0340-DCG**

**CERTIFICATE OF SERVICE**

I hereby certify that on January 27, 2023, I caused a true copy of the foregoing, **PLAINTIFF’S MOTION TO DISMISS WITH PREJUDICE** to be served via electronic mail on all counsel of record.

Dated: January 27, 2023,

Respectfully submitted,




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