

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

Case Number 2:04-CV-417

MICHAEL S. GOGOLA

Plaintiff, pro se

vs.

JAMES ZINGALE, et al

Defendants.

PLAINTIFF'S NOTICE OF VOLUNTARILY DISMISSAL OF A DEFENDANT

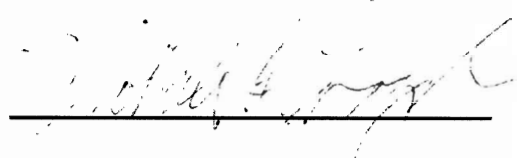
Now comes the Plaintiff, MICHAEL GOGOLA, pro se, pursuant to F.R.C.P. Rule 41 to Notice this Court that he voluntarily dismisses the Defendants United States District Court, Middle District of Florida, the Honorable Patricia C. Fawsett, Chief Judge and the Twentieth Judicial Circuit Court of Florida, The Honorable Hugh D. Hayes, Chief Judge.

In support he offers,

- a. Because of an error in transcription of the Amended complaint the United States District Court, Middle District of Florida, the Honorable Patricia C. Fawsett was named as a Defendant in this case.
- b. The Plaintiff voluntarily dismisses the United States District Court, Middle District of Florida, the Honorable Patricia C. Fawsett, Chief Judge.
- c. Because of an error in transcription of the Amended complaint the Twentieth Judicial Circuit Court of Florida, the Honorable Hugh D. Hayes is cited in the complaint.

- d. The Plaintiff voluntarily dismisses the Twentieth Judicial Circuit Court of Florida, the Honorable Hugh D. Hayes, Chief Judge.
- e. Any references in the complaint relating to either of the above two Defendants is withdrawn.
- f. Neither of these Defendants has answered or replied to this lawsuit.

WHEREFORE Plaintiff requests this court to take Notice of this Voluntarily Dismissal of the above Defendants.



MICHAEL S. GOGOLA, pro se
2154 Wallace Drive
Waycross, Georgia 31503
Telephone 912-285-0555
Fax 912-287-2579
Email mgogola@yahoo.com

Dated October 30, 2004

CERTIFICATE OF SERVICE

I hereby certify that on the 30th day of October, 2004, I caused a true and accurate copy of the foregoing Motion was mailed by U.S. Mail to

Joseph H. Lee, Esquire
Assistant Attorney General
Florida Bar # 0947040
Office of the Attorney General
501 East Kennedy Boulevard Suite 1100
Tampa, Florida 33602
Attorney for Defendant Florida Department Of Revenue and
James Zingale, Executive Director

Alexis Parker, Esq. Attorney for Sandra L. Gogola
PO Box 20007
Fort Myers, Florida 33902

The Honorable HUGH D. HAYES, Chief Judge
Twentieth Judicial Circuit Court
Lee County Justice Center
1700 Monroe Street
Fort Myers, FL 33993

The Honorable Patricia C. Fawsett, Chief Judge
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
2110 – 1st Street
Room 2-194
Fort Myers, FL 33901