

**THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND
Greenbelt Division**

THE DISTRICT OF COLUMBIA and
THE STATE OF MARYLAND,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United
States of America, in his official capacity,

Defendant.

Civil Action No. 8:17-cv-01596-PJM

**PLAINTIFFS' SUGGESTION OF MOOTNESS REGARDING
DEFENDANT'S STAY MOTION**

On December 14, 2018, Defendant Donald J. Trump, in his individual capacity, filed a motion to stay all proceedings pending an interlocutory appeal in the Fourth Circuit. *See* ECF 148. On December 17, 2018, this Court entered an Order requesting that Plaintiffs' response to the motion to stay address whether the Court can dismiss without prejudice the claims against President Trump in his individual capacity, and if so, whether it should do so. *See* ECF 150. Plaintiffs subsequently filed a notice pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure voluntarily dismissing without prejudice the claims against President Trump in his individual capacity. ECF 154. That dismissal is "self-executing, i.e., it is effective at the moment the notice is filed with the clerk and no judicial approval is required." *Marex Titanic, Inc. v. Wrecked and Abandoned Vessel*, 2 F.3d 544, 546 (4th Cir. 1993). The notice of dismissal of the claims against President Trump in his individual capacity renders his stay motion moot. *See In re Matthews*, 395 F.3d 477, 480 (4th Cir. 2005) ("A voluntary dismissal thus carries down with it . . . all pleadings, both of plaintiff and defendant, and all issues, with respect to plaintiff's claim." (internal quotation marks omitted)). Accordingly, Plaintiffs do not intend to file a response unless directed to do so by the Court.

Dated: December 19, 2018

Respectfully submitted,

THE STATE OF MARYLAND

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