

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

WELLS FARGO BANK, NATIONAL	§	
ASSOCIATION, AS SUCCESSOR BY	§	
MERGER TO WELLS FARGO BANK	§	
MINNESOTA, NATIONAL	§	
ASSOCIATION, AS TRUSTEE FOR	§	
MERRILL LYNCH MORTGAGE	§	Civil Action No. 3:21-cv-00163
INVESTOR TRUST, MORTGAGE	§	
LOAN ASSET-BACKED	§	
CERTIFICATES, SERIES 2003-	§	
WMC2,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
RUTH SANCHEZ CASLER,	§	
RANDALL KENNETH CASLER, AND	§	
JASON THOMAS CASLER	§	
	§	
Defendants.	§	

**PLAINTIFF’S NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

Plaintiff for Wells Fargo Bank, National Association, Successor by merger to Wells Fargo Bank Minnesota, National Association fka Norwest Bank Minnesota, National Association as Trustee for Merrill Lynch Mortgage Investor Trust, Mortgage Loan Asset-Backed Certificates, Series 2003-WMC2. (“Wells Fargo” or “Plaintiff”) files this *Notice of Voluntary Dismissal Without Prejudice* (“Notice”) pursuant to Rule 41 of the Federal Rules of Civil Procedure, and shows the Court as follows:

1. On July 13, 2021, Wells Fargo filed its *Original Complaint* (“Complaint”) against Defendants Ruth Sanchez Casler, Randall Kenneth Casler and Jason Thomas Casler (“Defendants”) to obtain an order authorizing foreclosure of Plaintiff’s security interest on the

real property located at 5712 TY Cobb Place, El Paso, Texas 79934. (ECF No. 1.)

2. All Defendants have been served. (ECF Nos. 5, 6 and 7.) Defendants have not answered or otherwise appeared in this action yet.

3. Plaintiff no longer wishes to pursue this claim for judicial foreclosure against Defendants. Accordingly, it files this Notice, pursuant to Rule 41 (a)(1)(A)(i) of the Federal Rules of Civil Procedure. Plaintiff files this Notice before Defendants filed an answer or motion for summary judgment. As such, Plaintiff voluntarily dismisses the claims it has asserted herein against Defendants without prejudice to the re-filing of the same.

4. Plaintiff's claims are the only claims pending in this case, so dismissal will dispose of all parties and all claims, and the Defendants will not be prejudiced.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests the Plaintiff's claims against Defendants Ruth Sanchez Casler, Randall Kenneth Casler and Jason Thomas Casler, be dismissed without prejudice, that no prejudice attach to such dismissal, and that Plaintiff be awarded all other relief to which Plaintiff may be entitled.

Respectfully submitted,

By: /s/ Vivian N. Lopez
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