IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

DEUTSCHE BANK NATIONAL TRUST	§	
COMPANY, SOLELY AS TRUSTEE	§	
FOR MASTR SPECIALIZED LOAN	§	
TRUST 2005-3 MORTGAGE PASS-	§	
THROUGH CERTIFICATES, SERIES	§	
2005-3,	§	
	§	
Plaintiff,	§	Civil Action No. 4:24-cv-1381
	§	
V.	§	
	§	
LOUIS ALBERT,	§	
	§	
Defendant.	§	

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiff Deutsche Bank National Trust Company, solely as Trustee for MASTR Specialized Loan Trust 2005-3 Mortgage Pass-Through Certificates, Series 2004-3 ("Plaintiff") filed this *Notice of Voluntary Dismissal Without Prejudice* as to Defendant Louis Albert ("Notice") pursuant to Rule 41 of the Federal Rules of Civil Procedure, and shows the Court as follows:

1. On April 17, 2024, Plaintiff filed its *Original Complaint* ("Complaint") against Defendant Louis Albert ("Defendant") to obtain an order authorizing foreclosure of the subject real property. (ECF No. 1.)

2. The Defendant has not answered or otherwise appeared in this action.

3. Plaintiff no longer wishes to pursue this claim for foreclosure against Defendant. 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 Defendant filed an answer or motion for summary judgment. As such, Plaintiff voluntarily dismisses the claims it has asserted herein against Defendant Louis Albert without prejudice to the re-filing of the same.

4. This dismissal will finally dispose of all parties and all claims. Defendant will not be prejudiced by this voluntary dismissal.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests the Plaintiff's claims against Defendant Louis Albert 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: <u>/s/ Nicholas M. Frame</u> NICHOLAS M. FRAME Texas Bar No. 24093448 nframe@mwzmlaw.com

MACKIE WOLF ZIENTZ & MANN, P. C.

14160 North Dallas Parkway, Suite 900 Dallas, TX 75254 Telephone: (214) 635-2650 Facsimile: (214) 635-2686

ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on July 25, 2024, a true and correct copy of the foregoing was served in the manner described below on the following:

VIA U.S. Mail: Louis Albert 8819 Diamond Lake Lane Houston, Texas 77083

> /s/ Nicholas M. Frame NICHOLAS M. FRAME