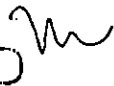


IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED 
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

06 SEP 12 PM 1:28

CLERK-ALBUQUERQUE

THE AMERICAN CIVIL LIBERTIES
UNION OF NEW MEXICO; THE
LEAGUE OF WOMEN VOTERS OF ALBUQUERQUE/
BERNALILLO COUNTY, INC.; SAGE COUNCIL;
NEW MEXICO COALITION TO END HOMELESSNESS;
ANNE KASS, ALEXANDRA KAZARAS
and BARBARA GROTHUS,

Plaintiffs,

v.

No. CV 05-1136 MCA/WDS

MILLIE U. SANTILLANES, ALBUQUERQUE
CITY CLERK,

Defendant.

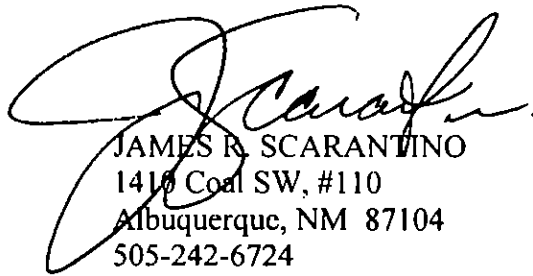
**UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL OF CLAIMS BY
NEW MEXICO COALITION TO END HOMELESSNESS AND
CERTAIN COUNTS OF PLAINTIFFS' SECOND AMENDED COMPLAINT**

COME NOW Plaintiffs, by and through their undersigned counsel, and pursuant to F.R.Civ.P. 41(a), hereby move this Court to voluntarily dismiss the New Mexico Coalition to End Homelessness as a party to this suit, and also dismiss Counts II, III, IV and V of Plaintiffs' Second Amended Complaint for Declaratory and Injunctive Relief. Such dismissal will be with prejudice.

This motion has the concurrence of Counsel for Plaintiffs.

Wherefore, Plaintiffs request the Court to dismiss the New Mexico Coalition to End Homelessness as a party and to dismiss Counts II, III, IV and V of Plaintiffs' Second Amended Complaint for Declaratory and Injunctive Relief with prejudice.

Respectfully submitted,



JAMES R. SCARANTINO
1410 Coal SW, #110
Albuquerque, NM 87104
505-242-6724
F: 505-266-5916
jrscarantino@yahoo.com

Counsel for Plaintiffs

I hereby certify that I served a true
and correct copy of the foregoing
by U.S. mail upon counsel for Defendant,
Asst. City Attorneys Paula A. Forney
and Mark Shoemith this 2nd day of
September, 2006.

