

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No.: 5:12-MC-65-BO

UNITED STATES OF AMERICA,)
)
Petitioner,)
)
v.) O R D E R
)
AARON BLAKE PRICE,)
)
Respondent.)

This matter is before the Court on the government's motion to quash [DE 2] and subsequent motion to dismiss [DE 5]. The government's motion to dismiss is GRANTED, the government's motion to quash is DENIED AS MOOT, and the clerk is directed to close the file.

On November 26, 2012, the government filed a notice of removal of two subpoenas issued by the Carteret County District Court in *Price v. Price*, 12 CVD 1113, and a motion to quash those subpoenas. However, as of November 27, 2012, the state action had been voluntarily dismissed. The government now moves this Court to dismiss the pending action as moot. A case is considered moot when the legal issues presented by the action are no longer "live" or the parties have no interest in the outcome. *United States v. Hardy*, 545 F.3d 280, 283 (4th Cir. 2008)(quoting *Powell v. McCormack*, 395 U.S. 486, 496 (1969)). As the state action underlying the instant dispute has been dismissed there is no longer a "live" controversy between the parties.

Therefore, the Court GRANTS the government's motion to dismiss the pending action.

SO ORDERED, this 6 day of February, 2013.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE