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| GARY L. SMITH, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 06-CV-1026 (ESH) |
| |) | |
| FEDERAL BUREAU OF |) | |
| INVESTIGATION, |) | |
| |) | |
| Defendant. |) | |
| |) | |

Upon consideration of the pleadings and for the reasons stated in the accompanying Memorandum Opinion, it is hereby

FURTHER ORDERED that the above-captioned action is **DISMISSED WITH PREJUDICE** with respect to plaintiff's January 31, 2006 and March 30, 2006 FOIA requests; and it is

FURTHER ORDERED that the above-captioned action is **DISMISSED WITHOUT PREJUDICE** with respect to plaintiff's November 23, 2004 and February 13, 2006 FOIA requests.

DATE: September 19, 2006