

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

VICTOR DIMAIO,

Plaintiff,

v.

CASE NO: 8:07-cv-1552-T-26MAP

DEMOCRATIC NATIONAL
COMMITTEE,

Defendant.

_____ /

ORDER

Upon due consideration of the mandate of the Eleventh Circuit Court of Appeals returned this day at docket 27, it is ordered and adjudged as follows:

1) The Court's order of October 5, 2007, at docket 18, is amended to reflect that Plaintiff's complaint is dismissed without prejudice.

2) The Clerk's judgment of October 9, 2007, at docket 19, is vacated.

DONE AND ORDERED at Tampa, Florida, on April 8, 2008.

s/Richard A. Lazzara

**RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE**

COPIES FURNISHED TO:

Counsel of Record