1 2 3 4 5 6 IN THE UNITED STATES DISTRICT COURT 7 FOR THE DISTRICT OF ARIZONA 8 United States of America, CR-17-0585-PHX-GMS 9 Plaintiff, **ORDER** 10 v. 11 Thomas Mario Costanzo, and Peter Nathan Steinmetz, 12 13 Defendants. 14 Upon motion of the United States, no objection from either defendant, and good 15 cause appearing, 16 IT IS HEREBY ORDERED dismissing Counts 1 and 2 of the Superseding 17 Indictment as to both defendants, without prejudice to refiling. 18 IT IS FURTHER ORDERED dismissing the forfeiture allegation and dismissing 19 the Superseding Indictment as to Peter Nathan Steinmetz, without prejudice to filing 20 separate charges against Mr. Steinmetz. 21 IT IS FURTHER ORDERED that the government shall remove the lis pendens on 22 the Julie Drive property of Mr. Steinmetz within 7 days of this Order. 23 Dated this 21<sup>st</sup> day of November, 2017. 24 25 26 United States District Judge 27 cc: USPTS, USMS 28