

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION

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UNITED STATES OF AMERICA,

v.

HENDREX NICELY,

*Defendant.*

CRIMINAL ACTION NO.  
3:21-cr-00031-TES-CHW

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ORDER TO DISMISS<sup>1</sup>

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Before the Court is the United States' unopposed Motion to Dismiss [Doc. 51] asking the Court to dismiss the above-styled Indictment [Doc. 1] as to Defendant Hendrex Nicely pursuant to Federal Rule of Criminal Procedure 48(a). On June 13, 2023, Defendant entered a plea in Case No. 3:22-cr-25 pursuant to a plea agreement which included facts pertaining to the conduct alleged in the previous indictment as relevant conduct.

Accordingly, the Court **GRANTS** the United States' Motion to Dismiss [Doc. 51] and hereby **ORDERS** that the pending Indictment against Defendant Hendrex Nicely be **DISMISSED with prejudice**.

**SO ORDERED**, this 14th day of June, 2023.

S/ Tilman E. Self, III

**TILMAN E. SELF, III, JUDGE**  
**UNITED STATES DISTRICT COURT**

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<sup>1</sup> The Court **VACATES** its previous Order [Doc. 52].