

IN THE UNITED STATES DISTRICT COURT  
 FOR THE MIDDLE DISTRICT OF ALABAMA  
 SOUTHERN DIVISION

TAPRINA MCCLAIN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. 1:17-CV-264-WKW
	)	[WO]
HOUSING AUTHORITY OF	)	
THE CITY OF DOTHAN, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Before the court is the Agreed Motion to Dismiss filed by Plaintiff Taprina McClain. (Doc. # 32.) Because Defendants have served an answer and did not sign the motion, Federal Rule of Civil Procedure 41(a)(2) governs. Rule 41(a)(2) provides that “an action may be dismissed at the plaintiff’s request only by court order, on terms that the court considers proper.” Having considered the equities, the court finds that Defendants will not suffer clear legal prejudice as a result of this action’s dismissal and that pursuant to Rule 41(a)(2), dismissal with prejudice is appropriate. *See McCants v. Ford Motor Co.*, 781 F.2d 855, 856–57 (11th Cir. 1986) (“[I]n most cases a dismissal should be granted unless the defendant will suffer clear legal prejudice, other than the mere prospect of a subsequent lawsuit, as a result.”)

(emphasis omitted). Accordingly, it is ORDERED that Plaintiff's motion to dismiss (Doc. # 32) is GRANTED.

The Clerk of the Court is DIRECTED to close this case.

DONE this 5th day of September, 2017.

/s/ W. Keith Watkins  
CHIEF UNITED STATES DISTRICT JUDGE