

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

THOMAS WESLEY SMITH,)	
# 206280)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 2:11cv86-ID
)	(WO)
DAVID WISE, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER

On February 17, 2011, the petitioner filed a motion for voluntary dismissal of the instant action, pursuant to Rule 41 of the Federal Rules of Civil Procedure. (Doc. #20). Out of an abundance of caution, the Magistrate Judge advised the petitioner of the potential consequences of dismissing his action pursuant to his request. (Doc. #21). The petitioner confirmed that he wanted to dismiss his petition without prejudice. (Doc. #22).

Upon consideration of the petitioner’s motion to dismiss, and for good cause, it is hereby ORDERED that:

1. The petitioner’s motion to dismiss (Doc. #20) is GRANTED;
- and
2. This action is DISMISSED without prejudice.

DONE this the 22nd day of March, 2011.

/s/ Ira DeMent
SENIOR UNITED STATES DISTRICT JUDGE