Harris v. Yelder et al (INMATE 2)(LEAD) Doc. 31

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

FREDRICK HARRIS, #202 390,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:13-cv-843-WHA
	)	
	)	
OFFICER YELDER, et al.,	)	
	)	
Defendants.	)	

ORDER

This is the lead case in three cases, including additionally 2:13-cv-864 and 2:13-cv-894. The consolidated cases are before the court on the Recommendation of the Magistrate Judge (Doc. # 30), entered on April 28, 2014, to which no timely objection has been filed.

The Magistrate Judge ordered that all Motions to Dismiss (Docs. # 10, 22, 23, 24, 26, 28) in this numbered case be treated as Notices of Dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(i), allowing a plaintiff to file "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment" in order to voluntarily dismiss an action without a court order. This would also apply to Doc. # 11 in Case No. 2:13-cv-864, filed on February 12, 2014, before the consolidation, and the court so orders.

The court adopts the Recommendation of the Magistrate Judge (Doc. # 30), and it is ORDERED as follows:

1. These consolidated cases are DISMISSED without prejudice, pursuant to notice under Federal Rule of Civil Procedure Rule 41(a)(1)(A)(i).

Dockets.Justia.com

2. All other pending motions are DENIED as moot.

DONE this 3rd day of June, 2014.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE