

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

KENDALL THOMAS, #132267,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:14cv1094-MHT
)	(WO)
CHAPLAIN STEVE SMITH,)	
)	
Defendant.)	

JUDGMENT

Plaintiff, a state inmate, filed a complaint alleging violations of his First and Fourteenth Amendment rights to practice and facilitate the growth of his religion. Prior to service of the complaint, plaintiff filed a document in which he seeks dismissal of this case. The court construes this document as a notice of dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i), which permits voluntary dismissal by a plaintiff "before the opposing party serves either an answer or a motion for summary judgment[.]" Under Fed. R. Civ. P. 41(a)(1)(B), such dismissal is "without prejudice."

Accordingly, it is the ORDER, JUDGMENT, and DECREE of the court that plaintiff's motion for voluntary dismissal (doc. no. 6) is granted and this case is dismissed without prejudice.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

This case is closed.

DONE, this the 5th day of December, 2014.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE