Ellis v. United States of America (INMATE 3) Doc. 7

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

DARRYL ELLIS,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 2:15cv961-WHA
	)	(WO)
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

ORDER

Petitioner Darryl Ellis has filed a motion to withdraw his *pro se* motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255. Doc. No. 6. The court construes this motion as Ellis's motion for dismissal under Rule 41 of the Federal Rules of Civil Procedure.

Accordingly, it is ORDERED that:

(1) Ellis's motion for dismissal under Fed.R.Civ.P. 41 (Doc. No. 6) is GRANTED.

(2) This action under 28 U.S.C. § 2255 is DISMISSED without prejudice.

DONE, this 11th day of April, 2016.

/s/ W. Harold Albritton III
SENIOR UNITED STATES DISTRICT JUDGE

Dockets.Justia.com