

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

SHARON KAY CHATTAM RILEY,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.: 1:11-00108-KD-C
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This matter is before the Court on Plaintiff’s “Motion to Dismiss.” (Doc. 8).

Because Defendant has filed neither an answer nor a motion for summary judgment in this case, the Court construes the motion as a Notice of Voluntary Dismissal pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i).

Accordingly, it is hereby **ORDERED** that this action is **DISMISSED** without prejudice.

Each party shall bear his or her own costs.

DONE and ORDERED this the **23rd** day of **March 2011**.

/s/ Kristi K. DuBose _____
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE