

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

<b>KIM MCCLAIN-LEAZURE, et al.,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION 17-0144-WS-MU</b>
	)	
<b>NANCY A. BERRYHILL, etc.,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER**

By order dated May 15, 2018, the Court ordered the plaintiffs to state on the record, on or before May 29, 2018, whether they intend to maintain this action as to the remaining defendants, all of whom are fictitious. (Doc. 30). The plaintiffs have filed nothing. The plaintiffs’ silence is tantamount to a concession they do not intend to maintain this action as to the fictitious defendants. Accordingly, this action as to the fictitious defendants is **dismissed without prejudice**. The Clerk is directed to close this case.

DONE and ORDERED this 8<sup>th</sup> day of June, 2018.

s/ WILLIAM H. STEELE  
UNITED STATES DISTRICT JUDGE