

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
BATESVILLE DIVISION**

**DAVID BROWN**

**PLAINTIFF**

**VS.**

**NO. 1:11CV00022 JMM**

**CROWN POINTE  
TIMESHARING INC., VICKI WHITED.  
AMY BILLINGSLY**

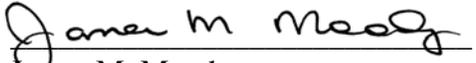
**DEFENDANTS**

**ORDER**

Plaintiff has filed a Motion to Dismiss. The Court finds that Plaintiff's motion (Docket # 31) should be, and hereby is, GRANTED. The Court notes that Plaintiff's right to re-file the case against the Defendants is subject to the provisions of Rule 41(d) of the Federal Rules of Civil Procedure. Under Rule 41(d), the Plaintiff may be ordered to pay any costs of this action which the Court deems appropriate if Plaintiff re-files the action against the Defendants.

The Motion to Dismiss (Docket # 31) is GRANTED. The Clerk is directed to close the case.

IT IS SO ORDERED this 28<sup>th</sup> day of December, 2011.

  
James M. Moody  
United States District Judge