

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

RONNIE WAYNE COLE, ADC # 82924

PLAINTIFF

v.

2:15CV00170-JM-JJV

QUIBLE BUTLER, Nurse,  
East Arkansas Regional Unit; *et al.*

DEFENDANTS

**ORDER**

Pending before the Court is Plaintiff's Motion for Voluntary Dismissal ("Motion") (Doc. No. 41). Pursuant to his Motion, he asks that all Defendants be dismissed without prejudice and dismissal of this action not count as a 'strike' within the meaning of the Prison Litigation Reform Act. (*Id.*) Only Defendant Mary Fletcher remains, however. Defendant Chew was dismissed on screening (Doc. No. 6), Defendants Quible Butler, Monica Dunn, and Melissa Mansfield were dismissed due to Plaintiff's failure to exhaust administrative remedies against them (Doc. No. 34), and Defendant Crowley was dismissed pursuant to Federal Rule of Civil Procedure 4(m) (Doc. No. 38). Accordingly, Plaintiff's Motion will be granted only with respect to his remaining claims against Defendant Fletcher. No strike is warranted on this dismissal.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's Motion for Voluntary Dismissal (Doc. No. 41) is GRANTED in part.
  - a. Plaintiff's claims against Defendant Mary Fletcher are DISMISSED without prejudice.
  - b. The Motion is denied in all other respects.
2. The Clerk of Court shall close this case.

DATED this 24th day of February, 2016.

A handwritten signature in black ink, appearing to read "Joe J. Volpe", written in a cursive style.

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JOE J. VOLPE  
UNITED STATES MAGISTRATE JUDGE