

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

**JEREMY DUNCAN, on behalf of himself and
all others similarly situated**

PLAINTIFF

v.

Case No. 2:17-cv-00179 KGB

**CLIFF SANDERS, individually and in his
official capacity as a police officer for the
City of Elaine, Arkansas, and in his official
capacity as a police officer for the City of
Helena-West Helena, Arkansas**

DEFENDANT

ORDER

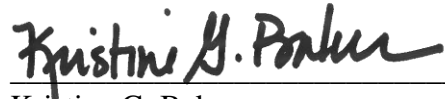
Before the Court is plaintiff Jeremy Duncan's motion to dismiss (Dkt. No. 25). Mr. Duncan, on behalf of himself and all others similarly situated, filed suit against defendant Cliff Sanders, individually and in his official capacity as a police officer for the City of Elaine, Arkansas, and in his official capacity as a police officer for the City of Helena-West Helena, Arkansas, on October 4, 2017 (Dkt. No. 1). The complaint asserts claims under 42 U.S.C. § 1983 and the Arkansas Civil Rights Act of 1993, Ark. Code Ann. § 16-123-101, arising out of Mr. Duncan's arrest by Mr. Sanders in 2016. No class of plaintiffs was ever certified by the Court in this matter, as no motion requesting certification was filed.

Mr. Duncan filed the instant motion to dismiss on October 2, 2019. Mr. Duncan states that this matter has settled and requests an order dismissing this action with prejudice, with the Court retaining jurisdiction for 60 days to enforce the settlement agreement (Dkt. No. 25, ¶ 1). In an e-mail to the Court, Mr. Sanders represented that he agrees with this request.

Therefore, and for good cause shown, the Court grants plaintiff's unopposed motion to dismiss (Dkt. No. 25). The Court dismisses with prejudice any remaining claims pending in this

lawsuit. The Court will retain jurisdiction for 60 days for the sole purpose of enforcing the settlement agreement.

It is so ordered this 29th day of October, 2019.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive style with a horizontal line underneath it.

Kristine G. Baker
United States District Judge