

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

OSCIELENA STOKES

PLAINTIFF

V.

NO. 3:99CV00214 JTR

MICHAEL J. ASTRUE,  
Commissioner, Social  
Security Administration

DEFENDANT

**ORDER**

On June 16, 2010, the Court entered an Order (docket entry #22) directing Plaintiff's counsel, Mr. Anthony Bartels, to file a Supplemental Brief explaining the factual and legal basis in support of his pending Motion to Withdraw (docket entry #21) as counsel for Plaintiff.

On June 23, 2010, Plaintiff filed a Motion to Dismiss. (Docket entry #24). Plaintiff's Motion, which is signed by both Mr. Bartels and Plaintiff, indicates that Plaintiff "is working and no longer wishes to pursue her 1995 application for disability benefits. Due to the extent of plaintiff's work activity since her alleged onset date, her attorney concurs that the claim should be dismissed." (Docket entry #24 at 1).

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the Court concludes that Plaintiff should be allowed to voluntarily dismiss this action, without prejudice.<sup>1</sup>

**IT IS THEREFORE ORDERED THAT:**

1. Plaintiff's Motion to Withdraw (docket entry #21) is DENIED.

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<sup>1</sup>The Court assumes that Mr. Bartels has withdrawn his request to be relieved as counsel, which will be denied.

2. Plaintiff's Motion to Dismiss (docket entry #24) is GRANTED, and Plaintiff's Complaint (docket entry #1) is DISMISSED, WITHOUT PREJUDICE.

DATED this 24<sup>th</sup> day of June, 2010.

  
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UNITED STATES MAGISTRATE JUDGE