

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

ERNEST B. SEXTON & JOANN SEXTON

PLAINTIFFS

VS.

CASE NO. 3:09CV00080 JMM

JODY DOTSON, ET AL.

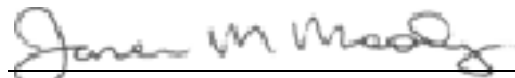
DEFENDANT

ORDER

Plaintiffs' Motion for Voluntary Non-Suit is granted (#55). Plaintiffs' complaint against the State of Arkansas is dismissed without prejudice. This dismissal renders separate defendant the State of Arkansas's Motion to Dismiss as moot and it is dismissed (#25).

There remains pending separate defendant the Lawrence County Sheriff's Department's Motion to Dismiss to which plaintiff is instructed to respond on, or before, October 23, 2009.

IT IS SO ORDERED this 15 day of October, 2009.



James M. Moody
United States District Judge