

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

EUGENE HOLLOWAY

PLAINTIFF

v.

No. 3:09CV00090 JLH

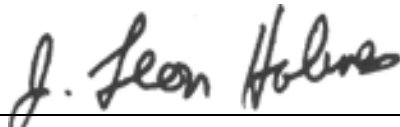
HYTROL CONVEYOR COMPANY, INC.

DEFENDANT

ORDER

Eugene Holloway commenced this action on June 8, 2009, by filing a complaint against Hytrol Conveyor Company, Inc., *pro se*. The defendant has not filed an answer. On July 20, 2009, Eugene Holloway filed a written statement asking the Court to dismiss this action voluntarily. Pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, the plaintiff may dismiss an action without a Court order by filing a notice of dismissal before the opposing party either serves an answer or a motion for summary judgment. Therefore, Eugene Holloway's request to dismiss this action is GRANTED. Document #5. The Clerk is directed to terminate this action.

IT IS SO ORDERED this 21st day of July, 2009.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE