

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

NICKLELAS NECESSITY BREWER

v.

NO. 3:10CV00245 SWW

JACK MCCANN, ET AL

ORDER OF DISMISSAL

The above-styled case was previously scheduled to commence on June 25, 2012 for trial before a jury with the Honorable Susan Webber Wright, Judge, United States District Court, presiding. Counsel for Plaintiff advised the Court that Plaintiff, Nicklelas Necessity Brewer, contacted counsels' office stating that Plaintiff was unable to appear for trial on Monday, June 25, 2012, because he is in Jonesboro and could not get a ride to Little Rock. Counsel had spoken with Plaintiff on Friday, June 22, 2012, and Plaintiff had represented that he would be in Little Rock for trial. An oral motion for a continuance by Plaintiff's counsel was denied. The Defendant's oral motion to dismiss this action against Defendant, Rick Webb, was granted for the reasons stated on the record and over the objections of Plaintiff's counsel.

IT IS THEREFORE ORDERED that this action hereby is dismissed with prejudice.

IT IS FURTHER ORDERED that the oral motion to be relieved made by Plaintiff's counsel, G. Gregory Niblock and Ronald C. Hunt, is granted.

IT IS SO ORDERED this 25th day of June 2012.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE