

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

KAY SIMS

PLAINTIFF

v.

Case No. 3:12-cv-00295 KGB

MDOW INSURANCE COMPANY

DEFENDANT

ORDER

Before the Court is plaintiff Kay Sims's motion to dismiss without prejudice (Dkt. No. 11). Ms. Sims moves to dismiss without prejudice all of her pending claims against defendant MDOW Insurance Company ("MDOW") pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure. Because MDOW has filed an answer to Ms. Sims's complaint, dismissal does not operate as of right. However, MDOW has not responded to Ms. Sims's motion to dismiss without prejudice, and the time to do so has now passed. For good cause shown, Ms. Sims's motion to dismiss without prejudice is granted (Dkt. No. 11).

The complaint and all claims therein are dismissed without prejudice. At this stage in the proceedings, no costs are assessed against Ms. Sims, subject to the provisions of Rule 41(d) of the Federal Rules of Civil Procedure.

SO ORDERED this 15th day of July, 2014.



Kristine G. Baker
United States District Judge