

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

PATSY D. COOPER

PLAINTIFF

v.

CASE NO. 4:08-CV-000138 BSM

**PHYLLIS SOUTH, CLINTON REAL
ESTATE, INC., and ANGELA SMITH**

DEFENDANTS

ORDER ON MOTION FOR SUMMARY JUDGMENT

Presently before the court is separate defendant Phyllis South's motion for summary judgment. Defendant South requests that this court grant summary judgment in her favor, and dismiss plaintiff's complaint as to her. In her response, plaintiff concedes that under the discovered circumstances, she is unable to maintain a viable claim against this defendant. Plaintiff acknowledges that summary judgment is proper as to this defendant.

Accordingly, defendant's motion for summary judgment (Doc. No. 18) is granted. Plaintiff's complaint is dismissed with prejudice as to defendant Phyllis South.

IT IS SO ORDERED THIS 8th day of October, 2008.


UNITED STATES DISTRICT JUDGE