

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

**JESSIE GLADSON, individually, and in  
Her capacity as Personal Representative  
Of the Estate of Brad Stephen Abercrombie,  
Deceased**

**PLAINTIFF**

**VS.**

**NO. 4:08cv01783 JMM**

**PHIL MASK, individually, and in his official  
Capacity as Sheriff of Saline County, Arkansas;  
BILL FIELDS, individually, and in his official  
Capacity as Chief Deputy of the Saline County  
Sheriff's Department; SALINE COUNTY,  
ARKANSAS; and the CITY OF BENTON,  
ARKANSAS**

**DEFENDANTS**

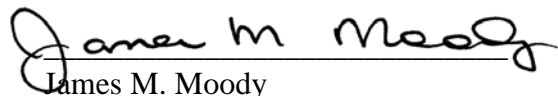
**ORDER**

Plaintiff has filed a Motion for Voluntary Nonsuit. The Court finds that Plaintiff's motion (Docket # 49) should be, and hereby is, GRANTED. The Court notes that Plaintiff's right to re-file the case against these Defendants is subject to the provisions of Rule 41(d) of the Federal Rules of Civil Procedure. Under Rule 41(d), the Plaintiff may be ordered to pay any costs of this action which the Court deems appropriate if Plaintiff re-files the action against the Defendants.

The jury trial scheduled July, 5, 2010 is canceled. All pending motions are moot.

The Clerk is directed to close the case.

IT IS SO ORDERED this 21<sup>st</sup> day of May, 2010.

  
James M. Moody  
United States District Judge