

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

JUAQUIN GOMEZ-HERNANDEZ

PETITIONER

VS.

4:08CV02122 BSM/JTR

KARL BYRD, Sheriff,
Faulkner County

RESPONDENT

ORDER

Pending before the Court is a Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241. (Docket entry #1.) On September 10, 2008, Petitioner filed a Motion to Dismiss this action. (Docket entry #2.)

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the Court concludes that Petitioner should be allowed to voluntarily dismiss this action, without prejudice.

IT IS THEREFORE ORDERED THAT Petitioner's Motion to Dismiss (docket entry #2) is GRANTED, and the Petition for a Writ of Habeas Corpus, pursuant to 28 U.S.C. § 2241 (docket entry #1) is DISMISSED, WITHOUT PREJUDICE.

Dated this 18th day of September, 2008.


UNITED STATES DISTRICT JUDGE