

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

DARRELL WAYNE LAPACH  
#12210-064

PLAINTIFF

v.

No. 4:10CV00006 JLH/HLJ

E. WILLIAMS, *et al.*

DEFENDANTS

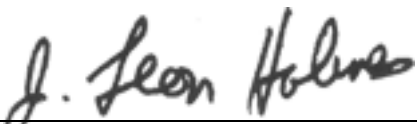
**ORDER**

On March 2, 2010, Darrell Wayne Lapach filed a document with two paragraphs. The first paragraph stated that Brandon Wade and Michael Quattlebaum were not co-plaintiffs but only witnesses and that Lapach was waiting to see a heart specialist to decide whether to stop the suit or not. The second paragraph, which was apparently written later, stated:

I have not got to go to the heart specialist as of yet, but I would like to go ahead a[nd] stop this suit No. 4:10CV00006 JLH/HLJ.

The Court overlooked that portion of Lapach's document when entering the order on March 3, 2010. It appears that Lapach would "like to go ahead a[nd] stop this suit." The Court will construe that language as a motion to dismiss without prejudice. The motion is granted. Document #9. This action is dismissed without prejudice.

IT IS SO ORDERED this 5th day of March, 2010.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE