

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

GURAL FOSTER

PLAINTIFF

v.

Case No. 4:10CV00551 JLH

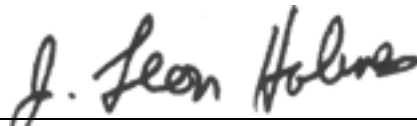
SOCIAL SECURITY ADMINISTRATION

DEFENDANT

**ORDER**

On June 8, 2010, plaintiff Gural Foster filed a complaint against the Social Security Administration, along with a motion for leave to proceed in forma pauperis and a motion to appoint counsel. Three days later, Foster filed a motion for voluntary dismissal, stating that the defendant has begun making payments. Pursuant to Federal Rule of Civil Procedure 41, a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves an answer, or an action may be voluntarily dismissed by court order on terms that the court considers proper. Here, the defendant has not yet answered Foster's complaint. To the extent that Foster's June 11, 2010 filing is not a notice of dismissal but a motion seeking an order from the Court, that motion for voluntary dismissal is GRANTED. Document #4. Foster's complaint is dismissed without prejudice. Foster's motions for leave to proceed in forma pauperis and to appoint counsel are DENIED as moot. Documents #1 and #4.

IT IS SO ORDERED this 14th day of June, 2010.



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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE