

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

MARCUS HARRIS, SANTOSHA  
HARRIS, and LAWRENCE PEACE

Plaintiffs

V.

U.S. BANK NATIONAL  
ASSOCIATION

Defendant

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NO: 4:10CV01525 SWW

**ORDER**

Before the Court is a *pro se* motion by Separate Plaintiff Lawrence Peace (“Peace”), requesting that the Court dismiss him from this action without prejudice. Peace brings his motion pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure. Because Defendant has answered the complaint, the Court construes Peace’s motion as one to dismiss his separate claims against Defendant without prejudice pursuant to Rule 41(a)(2). The time for responding has passed, and Defendant has not filed a response. Accordingly, Plaintiff’s motion (docket entry #17) is GRANTED. The claims of Separate Plaintiff Lawrence Peace are DISMISSED WITHOUT PREJUDICE and Peace is dismissed as a party to this action.

IT IS SO ORDERED THIS 23<sup>rd</sup> DAY OF MAY, 2011.

/s/Susan Webber Wright  
UNITED STATES DISTRICT JUDGE