

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

MARITA UPTON

PLAINTIFF

v.

NO. 4:11CV00016 JLH

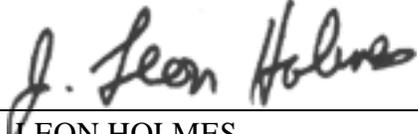
STONERIDGE NURSING AND REHAB

DEFENDANT

**ORDER**

Marita Upton commenced this action *pro se*. She filed a motion for appointment of counsel, which the Court granted. The lawyer who was appointed to represent Upton filed a motion to withdraw, stating that he had investigated the claim and found Upton's legal position is without merit. The Court granted the motion to withdraw and directed that Upton would proceed *pro se*. She has now written the Court stating that she is unable to defend herself, which the Court construes as a statement that she is unable to prosecute her case *pro se*. The Court will therefore dismiss the action without prejudice.

IT IS SO ORDERED this 25th day of April, 2011.

  
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J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE