

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

ROBERT HERRON

PLAINTIFF

V.

4:11MC00038 JMM

**DEPARTMENT OF EDUCATION,
Inspector General**

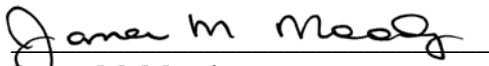
DEFENDANT

ORDER

Pending is the Plaintiff's Motion for Order pursuant to the Customer Challenge provisions of the Right to Financial Privacy Act of 1978 and the Motion to Quash Subpoena Duces Tecum and Motion for Protective Order. The Defendant has responded. In the Response, the Defendant states that it is withdrawing the Subpoena at issue. Therefore, Plaintiff's Motion to Quash and Motion for Protective Order (Docket #4) is MOOT. Further, because Plaintiff's Challenge is based upon the Subpoena it appears that the initial Motion for Order (Docket #1) is also MOOT.

In conclusion, the Defendant has withdrawn the Subpoena at issue in this case. Accordingly, the pending motions (Docket # 1 and # 4) are MOOT. The Clerk is directed to close the case.

IT IS SO ORDERED this 13th day of January, 2012.


James M. Moody
United States District Judge