

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

**SHANE WRIGHT**

**PLAINTIFF**

v.

**No. 4:12-cv-407-DPM**

**CRAIN H L.L.C.  
d/b/a CRAIN AUTOMOTIVE  
HOLDINGS, L.L.C.**

**DEFENDANT**

**ORDER**

Wright's unopposed motion for voluntary dismissal of his federal claim, *No. 8*, is granted. That claim is dismissed without prejudice. The Court declines to exercise its supplemental jurisdiction over Wright's remaining state law claims. 28 U.S.C. § 1367(c)(3); *Lindsey v. Dillard's, Inc.*, 306 F.3d 596, 598-99 (8th Cir. 2002). The Court remands those claims to the Pulaski County Circuit Court. Wright's pendent claims aren't subject to the thirty-day rule for remand, 28 U.S.C. § 1447(c), because there was no defect in removal procedure. *Lindsey*, 306 F.3d at 599. The Court has subject matter jurisdiction, it simply chooses not to exercise it. 28 U.S.C. § 1367(c). The Court will not impose conditions on remand, given Wright's good-faith abandonment of any FLSA claims.

So Ordered.

W.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

1 August 2013