

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

**TRINITY BEHAVIORAL HEALTH
CARE SYSTEM, INC. and MAXUS, INC.**

PLAINTIFFS

v.

Case No. 4:14-cv-00651 KGB

**ARKANSAS DEPARTMENT OF
HUMAN SERVICES, et al.**

DEFENDANTS

ORDER

Before the Court is plaintiffs' motion for non-suit (Dkt. No. 20). Plaintiffs Trinity Behavioral Health Care System, Inc. ("Trinity") and Maxus, Inc. ("Maxus") move this Court to dismiss without prejudice their complaint pursuant to Federal Rule of Civil Procedure 41. Counsel for defendants has communicated to the Court that defendants do not object to the motion for non-suit. For good cause shown, the Court grants Trinity and Maxus's motion for non-suit and hereby dismisses without prejudice their complaint.

Prior to Trinity and Maxus filing their motion for non-suit, all defendants filed a motion to dismiss for failure to state a claim (Dkt. No. 18). Because the Court has granted Trinity and Maxus's motion for non-suit, the Court denies as moot defendants' motion to dismiss (Dkt. No. 18).

SO ORDERED this the 10th day of December, 2014.



Kristine G. Baker
United States District Judge