

THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

PHILIP P. FREDERIC
ADC # 167147

PETITIONER

v.

Case No. 4:24-cv-00428-KGB

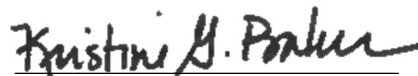
DEXTER PAYNE, Director, ADC

RESPONDENT

ORDER

Before the Court is *pro se* petitioner Philip P. Frederic's motion to withdraw case without prejudice (Dkt. No. 8). Mr. Frederic represents that he wishes to have his case dismissed without prejudice because he has filed a Post-Conviction Petition pursuant to Arkansas Rule of Criminal Procedure 37.1 in Faulkner County, Arkansas Circuit Court and intends to prosecute his state court case until he has "exhausted all available State remedies" (*Id.*). For good cause shown, the Court grants the motion (*Id.*). The Court therefore declines to adopt the Recommended Disposition submitted by United States Magistrate Judge Jerome T. Kearney (Dkt. No. 5) and denies as moot Mr. Frederic's pending motion to disqualify (Dkt. No. 6). This case is dismissed without prejudice.

It is so ordered this 27th day of January, 2025.



Kristine G. Baker

Chief United States District Judge