

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

HENRY LAMAR WHITE
ADC #106221

PLAINTIFF

V.

5:08CV00032 JLH/JTR

CO-II CEDRIC FRANKLIN, Varner Unit,
Arkansas Department of Correction, et al.

DEFENDANTS

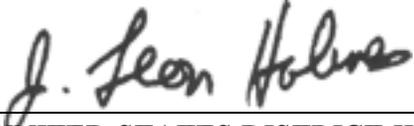
ORDER OF DISMISSAL

Plaintiff, who is currently incarcerated at the Varner Supermax Unit of the Arkansas Department of Correction, has filed a Motion seeking permission to voluntarily dismiss this § 1983 action, “with prejudice.” *See* docket entry #70. Defendants have orally informed the Court that they have no objection to Plaintiff’s request.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff’s Voluntary Motion to Dismiss (docket entry #70) is GRANTED, and this case is DISMISSED, WITH PREJUDICE.
2. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order of Dismissal and the accompanying Judgment would not be taken in good faith.
3. Plaintiff’s Motion for Partial Summary Judgment (docket entry #62) is DENIED, AS MOOT.

Dated this 2nd day of October, 2008.



UNITED STATES DISTRICT JUDGE