

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

**DARRYL STOKES, INDIVIDUALLY, AND
AS ADMINISTRATOR OF THE ESTATE
OF KALEB JERRELL STOKES, DECEASED, ET AL.**

PLAINTIFFS

VS. CASE NO. 5:08CV00163 JMM

3J TRUCKING, INC. AND ROY LEE JORDAN

DEFENDANTS

**JAMES A. WELLS AND VERONICA WELLS, INDIVIDUALLY
AND AS CO-ADMINISTRATORS OF THE
ESTATE OF LAKETRIA WELLS**

CONSOLIDATED PLAINTIFFS

**KEITH A. ALLEN, INDIVIDUALLY AND AS ADMINISTRATOR OF THE
ESTATE OF LAKIYAH WELLS, DECEASED**

INTERVENOR PLAINTIFF

VS.

3J TRUCKING, INC., ET AL.

DEFENDANTS

ORDER

Pending before the Court are defendant H&P Leasing, Inc.'s Motion to Dismiss plaintiff Darryl Stokes's Third Amended Complaint and H&P Leasing, Inc.'s Motion to Dismiss plaintiff Darryl Stokes' Fourth Amended Complaint (#80 and #102). Plaintiff Stokes responds that these motions are moot because his Sixth Amended Complaint filed on July 21, 2009, does not assert any claims against H&P Leasing.

Because Stokes's does not assert any claims against H&P Leasing, Inc., these motions are dismissed as moot.

IT IS SO ORDERED THIS 10 day of September, 2009.



James M. Moody
United States District Judge