

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

JAMES EDWARD SMITH,)	
ADC # 103093)	
Petitioner,)	Case No. 5:10-CV-00199 JTK
v.)	
)	
RAY HOBBS, Director, Arkansas)	
Department of Correction)	
Respondent.)	

ORDER OF DISMISSAL

BEFORE THE COURT is the Motion to Withdraw filed by Petitioner on December 18, 2012. (Doc. No. 62). In response to the Court’s November 28, 2012 Recharacterization Order, Petitioner requests voluntary dismissal of his case before it is converted into a habeas action pursuant to 28 U.S.C. §2254. Accordingly, the current action is hereby DISMISSED WITHOUT PREJUDICE.

SO ORDERED this 19th day of December, 2012.



United States Magistrate Judge