

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

TOMMY ELPS,
ADC #144914

PLAINTIFF

V.

5:13CV00235 SWW/JTR

ERIC B. PHARR, Correctional Officer,
East Arkansas Regional Unit, ADC, et al.

DEFENDANTS

ORDER

Plaintiff Tommy Elps has filed a Motion seeking permission to voluntarily dismiss this *pro se* § 1983 action. *Doc. 27*. Defendants have no objection to that request. *Doc. 28*.

IT IS THEREFORE ORDERED THAT:

1. Plaintiff's Motion for Voluntary Dismissal (*Doc. 27*) is GRANTED, and this case is VOLUNTARILY DISMISSED WITHOUT PREJUDICE.
2. Defendants' Motion to Stay Deadlines (*Doc. 28*) is DISMISSED AS MOOT.
3. The Court CERTIFIES, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

Dated this 28th day of January, 2014.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE