

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION

MARK LINLEY and  
KATHY LINLEY

PLAINTIFFS

v.

Case No. 1:20-cv-1018

AZIMDZHON KHOLOR and  
ANNETT HOLDINGS, INC. d/b/a TMC

DEFENDANTS

**ORDER**

Before the Court is the parties' Stipulation of Dismissal without Prejudice. (ECF No. 17). The Court finds the matter ripe for consideration.

An action may be dismissed by "a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii). "Caselaw concerning stipulated dismissals under Rule 41(a)(1)(A)(ii) is clear that the entry of such a stipulation of dismissal is effective automatically and does not require judicial approval." *Gardiner v. A.H. Robins Co.*, 747 F.2d 1180, 1189 (8th Cir. 1984). Thus, Plaintiffs' claims against Defendants were effectively dismissed when the parties filed the instant stipulation. However, this order issues for the purpose of maintaining the Court's docket. Accordingly, Plaintiffs' claims against Defendants are hereby **DISMISSED WITHOUT PREJUDICE**.

**IT IS SO ORDERED**, this 26th day of April, 2021.

/s/ Susan O. Hickey  
Susan O. Hickey  
Chief United States District Judge