

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

ROBERT MARTINEZ and DEBRA MARTINEZ

PLAINTIFFS

VS.

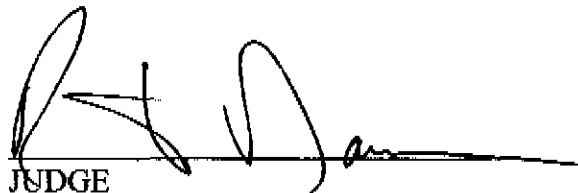
CASE NO. 08-2142

ROBIN E. MCKINNEY,
A. L. & W. MOORE TRUCKING COMPANY, INC.
and JOHN DOES 1-5

DEFENDANTS

ORDER ON MOTION FOR NON-SUIT PURSUANT TO RULE 41 OF THE FEDERAL
RULES OF CIVIL PROCEDURE AND ACA § 16-56-126

Plaintiffs' case is hereby dismissed without prejudice. Plaintiffs shall have one year from the date of entry of this order to re-file this suit, or it shall be barred forever pursuant to ACA § 16-56-102. It is so ORDERED.


JUDGE

November 13, 2009
DATE

Prepare by: /s/ Will Bond
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U. S. DISTRICT COURT
WESTERN DISTRICT ARKANSAS
FILED

NOV 13 2009

CHRIS H. JOHNSON, CLERK

BY  DEPUTY CLERK

Approved by: /s/ Kathryn Pryor
Kathryn Pryor