

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

DAVID WAYNE HUGHES

PLAINTIFF

v.

Case No. 2:11-CV-02083

JOHN M. SELIG, Director of the Arkansas  
Department of Health and Human Services

DEFENDANT

**ORDER**

Currently before the Court is Plaintiff's Motion to Dismiss (Doc. 17). Plaintiff David Wayne Hughes moves to dismiss this action without prejudice, stating that the issues raised in the cause of action have become moot due to the fact that Mr. Hughes has been unconditionally released from the Arkansas State Hospital and is no longer under the jurisdiction of the Department of Human Services. Defendant's counsel has advised the Court that Defendant has no objections to the Motion. Upon due consideration, Plaintiff's motion (Doc. 17) is GRANTED and Plaintiff's cause of action is hereby DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure 41(a)(2). The parties are to bear their own fees and costs.

All other motions which remain pending are TERMINATED AS MOOT.

IT IS SO ORDERED this 26th day of August 2011.

*/s/ P. K. Holmes, III*

P.K. HOLMES, III  
UNITED STATES DISTRICT JUDGE