

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
HARRISON DIVISION

EDWARD PAUL CHEVALLIER

PLAINTIFF

v.

Case No. 3:11-CV-03050

CARROLL COUNTY DEPUTY  
SHERIFFS JOEL HAND and  
BILLY FLOYD, in their individual capacities

DEFENDANTS

**ORDER**

Currently before the Court are Plaintiff's First and Second Motions to Dismiss Separate Defendant Billy Floyd (Docs. 18 and 20). Plaintiff's First Motion to Dismiss (Doc. 18) is **DENIED**, as it was not accompanied by a brief in support, and therefore failed to meet the requirements of Local Rule 7.2 of the United States District Court for the Western District of Arkansas. Plaintiff's Second Motion to Dismiss (Doc. 20) was properly filed and requests voluntarily dismissal of Defendant Billy Floyd from this action pursuant to Fed. R. Civ. P. 41(a)(2). Defendant Floyd has not pled a counterclaim in this lawsuit nor filed any objection to either of Plaintiff's Motions to Dismiss. Therefore, the Court finds that Plaintiff's Second Motion to Dismiss (Doc. 20) should be and hereby is **GRANTED**, and all claims against Defendant Billy Floyd are **DISMISSED WITH PREJUDICE**. The Clerk of Court is directed to terminate Billy Floyd as a party to this action.

**IT IS SO ORDERED** this 2nd day of August, 2012.

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

P.K. HOLMES, III  
CHIEF U. S. DISTRICT JUDGE