

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

FIRST FINANCIAL CREDIT, INC.

PLAINTIFF

VS.

NO. 08-CV-4079

EUDY FORESTRY SERVICES, INC.;
BRIAN S. EUDY; ANTHONY D. EUDY;
and FIRST STATE BANK OF DEQUEEN

DEFENDANTS

ORDER

On October 3, 2008, First State Bank of DeQueen filed a Counterclaim in the above styled and numbered action. First State is now before the Court seeking a dismissal of its counterclaim pursuant to Fed.R.Civ.P. 41(a)(2) and (c). Upon consideration, the Court finds that the Motion to Dismiss (Doc. No. 25) should be and hereby is **granted**. Accordingly, First State Bank of DeQueen's Counterclaim filed in this action is hereby dismissed without prejudice.

IT IS SO ORDERED, this 31st day of October, 2008.

/s/ Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge