

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

CLIFFORD JOHNSON

PLAINTIFF

vs.

Civil No. 4:11-cv-04065

MICHAEL J. ASTRUE
Commissioner, Social Security Administration

DEFENDANT

MEMORANDUM OPINION

On September 22, 2011, Clifford Johnson (“Plaintiff”) filed this Motion for Voluntary Dismissal. ECF No. 8. According to Plaintiff, he has filed a new application for disability benefits and has decided to pursue benefits through that application with the assistance of some additional recently developed medical evidence. ECF No. 8. Defendant does not object to this motion. *Id.* The parties have consented to the jurisdiction of a magistrate judge to conduct any and all proceedings in this case, including conducting the trial, ordering the entry of a final judgment, and conducting all post-judgment proceedings. ECF No. 5. Pursuant to this authority, the Court issues this memorandum opinion and orders the entry of a final judgment in this matter.

Absent any pending counterclaims, a court is authorized to dismiss a case at the Plaintiff’s request on the terms that the court considers proper. FED. R. CIV. P. 41(a)(2). Defendant has asserted no counterclaims and has not objected to this motion. After taking into consideration said Motion, the Court finds the Plaintiff’s motion should be **GRANTED** and Plaintiff’s case be dismissed without prejudice.

ENTERED this day of 26th September , 2011.

/s/ Barry A. Bryant
HON. BARRY A. BRYANT
U.S. MAGISTRATE JUDGE