

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION

LAMAR KEMP, #085183

PLAINTIFF

v.

Civil No. 6:17-cv-06084

CORRECT CARE SOLUTIONS, INC., *et al.*

DEFENDANTS

ORDER

Before the Court is a Joint Motion for Dismissal without Prejudice filed by Plaintiff and Separate Defendant Gwendolyn Hart. (ECF No. 25). The Court finds this matter ripe for consideration.

Plaintiff filed his Complaint on August 25, 2017. (ECF No. 1). Plaintiff named Wendy Kelley; Rory Griffen; Correct Care Solutions, Inc.; Dr. Nannette Vowell; Andrea Beasley; and Nurse Gwendolyn E. Hart as defendants. Plaintiff alleges that his rights were violated and asserts claims under 42 U.S.C. § 1983 and the Americans with Disabilities Act, 42 U.S.C. § 12132. Counsel for Separate Defendant Hart took Plaintiff's deposition on January 25, 2018. Plaintiff and Separate Defendant Hart now agree that Separate Defendant Hart should be dismissed from this action without prejudice.

The Federal Rules of Civil Procedure provide an avenue for parties to voluntarily dismiss claims without prejudice. *See* Fed. R. Civ. P. 41. Upon consideration, the Court finds that the instant Joint Motion for Dismissal without Prejudice (ECF No. 25) should be and hereby is **GRANTED**. The claims against Separate Defendant Gwendolyn Hart are hereby **DISMISSED WITHOUT PREJUDICE** pursuant to Rule 41 (a)(2).

IT IS SO ORDERED, this 14th day of February 2018.

/s/ Susan O. Hickey
Susan O. Hickey
United States District Judge