

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

CLEOPHA POPE, JR

PLAINTIFF

vs.

Civil No. 6:23-cv-06037

**KILOLO KIJAKAZI,
Acting Commissioner, Social Security Administration**

DEFENDANT

MEMORANDUM OPINION

On June 22, 2023, Cleopha Pope, Jr., (“Plaintiff”) filed this Motion to Dismiss. ECF No. 9. According to Plaintiff, he no longer wishes to pursue this appeal, and requests dismissal. *Id.* Defendant has not objected to this motion. 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. 4. 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 26th day of June 2023.

/s/ Barry A. Bryant

HON. BARRY A. BRYANT
U. S. MAGISTRATE JUDGE