ORDERED that:

1. The findings and recommendations filed September 29, 2021, (ECF No. 66), are adopted in full;

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- 2. Plaintiff's notice of voluntary dismissal, (ECF No. 62), is construed as a motion for voluntarily dismissal;
  - 3. Plaintiff's motion, (ECF No. 62), is GRANTED;
  - 4. This action is voluntarily dismissed without prejudice; and
  - 5. The Clerk of Court is directed to close the case.

DATED: November 12, 2021

Troy L. Nunley

United States District Judge