

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION

JOSUE POLYCARPE,

Petitioner,

v.

Case No. 4:08-cv-439-SPM-AK

WALTER A. McNEIL,

Respondent.

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**ORDER**

Petitioner, a prisoner in the custody of the Florida Department of Corrections, initiated this case by filing a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. 1). The case is presently before the Court on Petitioner's motion to voluntarily dismiss the petition. Doc. 27. Because it was unclear from the motion whether Petitioner is aware of the consequences of voluntarily dismissing the petition, the Court advised him of such consequences and afforded him an opportunity to withdraw the motion. Doc. 28. Petitioner has now filed a notice, Doc. 29, seeking to withdraw the motion. Pursuant to Petitioner's notice, the motion to voluntarily dismiss the Petition, Doc. 27, is **WITHDRAWN**, and the Clerk is directed to terminate the motion.

**DONE AND ORDERED** this 15th day of March, 2010.

*s/ Stephan P. Mickle*

Stephan P. Mickle  
Chief United States District Judge