

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
COLUMBUS DIVISION**

**MICHAEL A. GLOVER,**

**Plaintiff,**

**v.**

**WARDEN DESHAWN JONES, et al.,**

**Defendant.**

**Case No. 4:22-cv-00107-CDL-MSH**

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**ORDER**

*Pro se* Plaintiff Michael A. Glover, a prisoner at Phillips State Prison in Buford, Georgia filed a 42 U.S.C. § 1983 civil rights claim. ECF No. 1. Plaintiff also requested leave to proceed without prepayment of the filing fees (ECF No. 2) which was denied due to Plaintiff's ability to pay the fee (ECF No. 7).

On August 22, 2022, Plaintiff filed a letter in which he stated that he “really don’t care about this case” and that he has other cases “more pressing” that need his attention. ECF No. 10. He requested to “put that matter of 4:22-cv-00107-CDL-MSH on hold until further notice”. *Id.* On August 29, 2022, the Magistrate Judge rightfully denied Plaintiff's request to put this civil action on an indefinite hold. ECF No. 9. Plaintiff was instructed to pay the filing fee to proceed with his civil action or, in the event he wished not to proceed with this case, he should file a request for a voluntary dismissal. *Id.*

Plaintiff has now filed a letter in which he states that “now under Fed R oof Civ Proc (A) [Plaintiff does] by here voluntary dismissal of my actions against Warden Deshawn Jones and Officer Vansettes”. ECF No. 11.

Rule 41 of the Federal Rules of Civil Procedure provides that a “...plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion to summary judgment, or (ii) a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A). Because no defendant has been served in the case, leave of court is not required to dismiss this action, and Plaintiff is automatically entitled to voluntary dismissal.

Accordingly, Plaintiff’s request to dismiss (ECF No. 11) is **GRANTED**, and this action is **DISMISSED without prejudice**.

**SO ORDERED**, this **16th** day of **September, 2022**.

S/Clay D. Land  
CLAY D. LAND, JUDGE  
UNITED STATES DISTRICT COURT