

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

GRADY R. WILLIAMS, JR.,
:
:
Plaintiff,
:
:
VS.
:
:
GEORGIA DEPARTMENT
:
OF CORRECTIONS, et al.,
:
:
Defendants.
:
_____:

NO. 5:13-CV-274 (MTT)

ORDER

Plaintiff Grady R. Williams, a state prisoner currently confined in Macon State Prison in Oglethorpe, Georgia, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983. He now moves for voluntary dismissal of this action because he inadvertently mailed in his complaint after confusing it with another claim he has filed in this Court. (Doc. 6).

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, a plaintiff may voluntarily dismiss his action “before the opposing party serves either an answer or a motion for summary judgment[.]” The Defendants have not yet served an answer or a motion for summary judgment. Accordingly, Petitioner's motion to dismiss is **GRANTED** and the above-captioned action is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED, this 10th day of September, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT