

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

DAVID DWAYNE CASSADY,

Plaintiff

VS.

STEVEN D. HALL, et al,

Defendants

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NO. 5:15-CV-0255-MTT-MSH

ORDER

Plaintiff David Dwayne Cassady, an inmate currently confined at Johnson State Prison in Wrightsville, Georgia, filed a *pro se* civil rights complaint in this Court seeking relief under 42 U.S.C. § 1983. Shortly after filing his Complaint, however, Plaintiff mailed a letter to the Clerk of Court (Doc. 4) stating that he did not intend to send the Complaint to this Court and that this action is duplicative of one already pending here: *Cassady v. Hall*, 5:14-cv-25-MTT. The Court construes Plaintiff's letter to be a notice of voluntary dismissal. Plaintiff is entitled to a voluntary dismissal without prejudice as a matter of right. *See* Fed. R. Civ. P. 41(a)(1)(A). The Complaint is therefore **DISMISSED** without prejudice.

SO ORDERED, this 6th day of July, 2015

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