

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

TAVORIS L. JOHNSON, MR.)
TIMOTHY OWENS, and MR.)
WENDELL L. DEMPSEY,)
)
Plaintiffs,)
)
v.)
)
MR. JOHN WILCHER, who is)
Sheriff of Chatham County and)
Chief Administrator of)
Chatham County Detention)
Center,)
)
Defendant.)

CASE NO. CV417-181

U. S. DISTRICT COURT
Southern District of GA
Filed in Office

11/20 2017 M


Deputy Clerk

ORDER

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 3), to which objections have been filed (Doc. 4). However, Plaintiffs have subsequently elected to voluntarily dismiss their complaint. (Doc. 11.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(i), a plaintiff may voluntarily dismiss an action, without first obtaining leave of court, by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." As Defendant has yet to file either an answer or a motion for summary judgment, Plaintiffs' Motion to Dismiss (Doc. 11) is **GRANTED** and this case is **DISMISSED WITHOUT PREJUDICE**. As a result,

Plaintiff's Motion for Leave to Proceed In Forma Pauperis (Doc. 2) and the Magistrate Judge's Report and Recommendation (Doc. 3) are both **DISMISSED AS MOOT**. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 20th day of November 2017.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA