

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

LEONARD WIMBERLY, JR.,

Plaintiff,

v.

DEAN BROOM; GAIL FERRAR; and  
MARTHA MIDDLETON ,

Defendants.

CIVIL ACTION NO.: 6:15-cv-41


**ORDER**

This matter comes before the Court on Plaintiff's Letter Motion of July 22, 2015. (Doc. 6.) Therein, Plaintiff explains that he has not taken any action to pursue this case because he no longer intends to prosecute this action. Plaintiff asserts that at the time of filing this case, he filed another action in this Court, Case No. 6:15-cv-23, and that both cases assert the same claims. Therefore, he intends to prosecute Case No. 6:15-cv-23, and moves to dismiss this action.

This case having not yet been served, Defendants have not objected to Plaintiff's request for dismissal or otherwise filed any counterclaim that might impede Plaintiff's ability to dismiss this action voluntarily. See Fed. R. Civ. P. 41(a)(2). Accordingly, Plaintiff's Motion is hereby **GRANTED**, and his claims against all Defendants are **DISMISSED without prejudice**.

The Clerk of Court is **DIRECTED** to terminate all pending motions and **CLOSE** this case.

**SO ORDERED**, this 7<sup>th</sup> day of September, 2015.



---

HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA