

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**JANET R. KENT,**

**Plaintiff,**

**v.**

**PALISADES COLLECTION, LLC**

**Defendant.**

**Case No. 08-cv-259-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Before the Court is Plaintiff's Motion to Dismiss Without Prejudice (Doc. 5). Pursuant to **FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i)**, because Defendant has not yet been served nor has it filed its Answer or a Motion for Summary Judgment, Plaintiff has a right to voluntarily dismiss her suit without a court order. Therefore, the Court hereby **ACKNOWLEDGES** Plaintiff's voluntary dismissal. As such, Plaintiff's claims against Defendant in this matter are hereby **DISMISSED WITHOUT PREJUDICE**. Clerk to close file.

**IT IS SO ORDERED.**

Signed this 22<sup>nd</sup> day of October, 2008.

*/s/ David R. Herndon*

**Chief Judge  
United States District Court**