

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

**CENTRAL LABORERS' PENSION,
WELFARE AND ANNUITY FUNDS,**

Plaintiffs,

v.

Case No. 11-cv-112-DRH-SCW

**DONALD M. BARTON, JR.,
individually,**

Defendant.

ORDER

HERNDON, Chief Judge:

Before the Court is plaintiff's notice of voluntary dismissal, without prejudice (Doc. 16). Dismissal is proper pursuant to FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i), as defendant neither filed an answer nor a motion for summary judgment. The Court hereby acknowledges the notice and finds that all claims against defendant are dismissed without prejudice. The Clerk is instructed to close the file.

IT IS SO ORDERED.

Signed this 16th day of April, 2012.

David R. Herndon



David R.
Herndon

2012.04.16

14:41:37 -05'00'

**Chief Judge
United States District Court**