

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

EDDIE BARSH,

Plaintiff,

v.

JAMES CROSS,

Defendant.

No. 11-cv-475-DRH-SCW

MEMORANDUM AND ORDER

HERNDON, Chief Judge:

Pro se petitioner Eddie Barsh filed this habeas corpus action pursuant to § 2241 based on the loss of his good time credits while incarcerated at FCI-Greenville on June 6, 2011 (Doc. 1). Defendant Cross responded to the petition on April 13, 2012 (Doc. 8). Currently before the Court is petitioner's motion for voluntary dismissal (Doc. 11) pursuant to Fed. R. Civ. P. 41(a)(1), which allows a plaintiff to dismiss an action without a court order either before the defendant has answered, or by joint stipulation of the parties. Although defendant has already responded, defendant has filed a response indicating that he had no objection to the motion to dismiss (Doc. 15). Therefore, the Court will construe the motion as one by joint stipulation of the parties, and **DISMISS** this action **with prejudice**.

IT IS SO ORDERED.

Signed this 16th day of July, 2013.

Digitally signed by
David R. Herndon
Date: 2013.07.16
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**Chief Judge
United States District Court**