

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

OREN DEAN DIPIERRO,

Petitioner,

v.

J.S. WALTON,

Respondent.

No. 12-cv-1299-DRH-DGW

ORDER

HERNDON, Chief Judge:

Before the Court is petitioner's notice of voluntary dismissal pursuant to FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(i) (Doc. 9). Petitioner hereby dismisses the present action without prejudice. Voluntary dismissal under Rule 41(a)(1)(A)(i) is appropriate as respondent has not yet filed a responsive pleading. The Court hereby **ACKNOWLEDGES** said notice and holds that petitioner's claims are **DISMISSED without prejudice**.

IT IS SO ORDERED.

Signed this 25th day of January, 2013.

Digitally signed by
David R. Herndon
Date: 2013.01.25
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**Chief Judge
United States District Court**