

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

MICHAEL WIDMER,

Plaintiff,

v.

KIMBERLY BUTLER, *et al.*,

Defendants.

Case No. 14-cv-630-JPG-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Motion to Dismiss Defendant (Doc. 62), which the Court construes as a notice of dismissal of defendant Chandler pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i) filed by plaintiff Michael Widmer. Rule 41(a)(1)(A)(i) allows a plaintiff to dismiss an action against a defendant without a court order at any time before the opposing party serves an answer or a motion for summary judgment. Defendant Chandler has not served an answer or motion for summary judgment in this case. Because the plaintiff has an absolute right to dismiss this case at the present time, the Court finds that this action against Chandler is **DISMISSED without prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case. Defendant Chandler is terminated from this action.

**IT IS SO ORDERED.****DATED: July 24, 2014**

s/J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**