

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

<b>RICHARD TINDALL,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>CIVIL NO. 16-cv-1208-MJR</b>
	)	
<b>JACQUELINE LASHBROOK,</b>	)	
<b>MICHAEL SCOTT,</b>	)	
<b>DEBBIE HAYES, and</b>	)	
<b>CHRIS SMITH</b>	)	
<b>Defendants.</b>		

**MEMORANDUM AND ORDER**

**REAGAN, Chief District Judge:**

Plaintiff originally filed suit on November 2, 2016, alleging deliberate indifference to his mental health needs arising out of his time at Pickneyville Correctional Center. (Doc. 1). However, the Complaint did not associate specific claims with specific defendants and was dismissed without prejudice on December 15, 2016. (Doc. 15). Plaintiff was given leave to amend. (Doc. 15). Plaintiff filed the First Amended Complaint on December 22, 2016, adding some defendants. (Doc. 17). To date, the First Amended Complaint has not been screened pursuant to § 1915A.

On February 23, 2017, Plaintiff moved this Court for voluntary dismissal of the action pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure. (Doc. 19). Voluntary withdrawal of his claim is Plaintiff's right, and, accordingly, this action is **DISMISSED WITHOUT PREJUDICE**. The Court will not assess a strike. Plaintiff is **INSTRUCTED** that,

though he has dismissed his claim, he must still pay the filing fee for this case. *See* 28 U.S.C. § 1915(b)(1), (e)(2); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998) (A prisoner incurs the obligation to pay the filing fee for a lawsuit when the suit is filed, and the obligation continues regardless of later developments in the suit, such as dismissal of the suit or denial of leave to proceed IFP.). Motion **GRANTED**. (Doc. 19).

**IT IS SO ORDERED.**

**DATED: February 24, 2017**

**s/ MICHAEL J. REAGAN**  
**MICHAEL J. REAGAN**  
**UNITED STATES CHIEF DISTRICT JUDGE**