



voluntarily dismissed. *See* 28 U.S.C. § 1915(b)(1); *Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998). In light of Plaintiff's timely request to voluntarily dismiss the case before the Complaint was screened under 28 U.S.C. § 1915A, however, the Court will not assess an additional filing fee for the next civil rights action Plaintiff chooses to file in this District. But in order to bring a new action without incurring an additional filing fee, Plaintiff will be required to file a copy of this Order with his complaint in the new case.

**IT IS HEREBY ORDERED** that Plaintiff's Motion to Withdraw Complaint (Doc. 5) is **GRANTED**, and this action is **DISMISSED without prejudice**. *See* FED. R. CIV. P. 41(a)(1)(A)(i). This dismissal shall *not* count as one of Plaintiff's allotted "strikes" under 28 U.S.C. § 1915(g).

**IT IS ORDERED** that Plaintiff's Motion to Appoint Counsel (Doc. 3) is **DENIED as moot**.

**IT IS ORDERED** that Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Doc. 3) will be addressed in a separate Order of the Court.

**IT IS ALSO ORDERED** that Plaintiff's obligation to pay the filing fee for this action survives dismissal of this case. The filing fee for the next action that Plaintiff files pursuant to 42 U.S.C. § 1983 in the Southern District of Illinois shall be **WAIVED**, on the condition that Plaintiff also files a copy of this Order with the complaint.

The Clerk's Office is **DIRECTED** to close this case and enter a judgment accordingly.

**IT IS SO ORDERED.**

**DATED: April 3, 2017**



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**NANCY J. ROSENSTENGEL**  
**United States District Judge**