

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

JEREMY LEE COLLINS,)
)
 Plaintiff,)
)
 v.)
)
 ALEX BEBB, et al.,)
)
 Defendants.)
)

Case No. 17-03050-CM-ADM

MEMORANDUM AND ORDER

The matter comes before the court on plaintiff Jeremy Lee Collins’s Motion to Dismiss his claims with prejudice. (Doc. 227.) Defendants do not oppose the motion, and further stipulate that upon dismissal with prejudice, they waive their claims against plaintiff for attorney’s fees and costs. The parties have not filed a signed stipulation of dismissal, so the court treats plaintiff’s motion as made pursuant to Federal Rule of Civil Procedure 41(a)(2). “Rule 41(a)(2) does not require that the plaintiff’s request for dismissal take any specific form; it requires only that the court approve such a request for dismissal.” *Morris v. City of Hobart*, 39 F.3d 1105, 1109 (10th Cir. 1994). The court agrees that the parties’ requested conditions are proper.

IT IS THEREFORE ORDERED that plaintiff’s Motion to Dismiss (Doc. 227) is granted. Pursuant to Federal Rule of Civil Procedure 41(a)(2), plaintiff’s claims are dismissed with prejudice. Defendants’ claims for attorney’s fees and costs are waived.

IT IS FURTHER ORDERED that plaintiff’s Motion in Limine (Doc. 194) is denied as moot.

The case is closed.

Dated this 10th day of December, 2019, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge