

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

CHARLES KELVIN SMITH (#01643-095)

CIVIL ACTION

VERSUS

UNITED STATE PAROLE COMMISSION, ET AL.


NO. 13-0308-SDD-RLB

ORDER

This matter comes before the Court on the Petitioner's *Motion to Dismiss With Prejudice*¹, pursuant to which he requests that the above-captioned proceeding be voluntarily dismissed. Interpreting the instant Motion as a notice of voluntary dismissal pursuant to Rule 41(a)(1)(A)(I) of the Federal Rules of Civil Procedure, the filing of which notice effects a dismissal of the proceeding without further action by the Court, see Perkins v. Johnson, 118 Fed.Appx. 824 (5th Cir. 2004) (recognizing that "[u]nder Fed.R.Civ.P. 41(a), the voluntary dismissal of an action completely terminates the litigation, without further order by the district court"),

IT IS ORDERED that the Plaintiff's *Motion to Dismiss With Prejudice*² be and is hereby interpreted to be a notice of voluntary dismissal brought pursuant to Fed. R. Civ. P. 41(a)(1)(A)(I), and the Clerk of Court is directed to terminate this action on the Court's Docket, with prejudice.

Baton Rouge, Louisiana, this 17 day of September, 2013.



SHELLY D. DICK, DISTRICT JUDGE
MIDDLE DISTRICT OF LOUISIANA

¹ Rec. Doc. 3.

² Rec. Doc. 3.