

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA**

ERNEST LOUIS (#92086)

CIVIL ACTION

VERSUS

BURL CAIN, ET AL.

NO. 15-538-JJB-RLB

ORDER

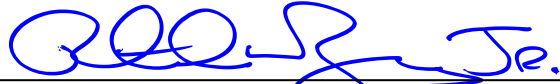
On or about July 27, 2015, the *pro se* plaintiff, an inmate confined at the Louisiana State Penitentiary, filed this proceeding pursuant to 42 U.S.C. § 1983 complaining of inadequate medical care. (R. Doc. 1). A deficiency notice was mailed to the plaintiff on August 24, 2015 advising of his failure to use the proper form, and directing him to pay the filing fee or submit a *Motion to Proceed in Forma Pauperis* within 21 days. (R. Doc. 3).

On September 14, 2015, the Clerk of Court received correspondence from the plaintiff dated September 9, 2015. (R. Doc. 4). The plaintiff explained in his correspondence to the Clerk that he was not trying to bring a direct action against the defendants, rather he was trying to be added as a plaintiff in a class action entitled, "*Lewis, et al. v. Cain, et al.*," previously filed on May 20, 2015 and pending before this Court. The plaintiff requested that his Complaint (R. Doc. 1) not be construed as a direct action, or an individual or separate complaint. (R. Doc. 4).

The Court interprets the plaintiff's correspondence (R. Doc. 4) as a notice of voluntary dismissal pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Pursuant to Rule 41(a)(1), an action may be dismissed at the request of the plaintiff, without prejudice and without a court order, before the opposing party serves either an answer or a motion for summary judgment. Accordingly,

IT IS ORDERED that the Clerk of Court terminate this proceeding on the Court's docket, without prejudice.

Signed in Baton Rouge, Louisiana, on October 19, 2015.



RICHARD L. BOURGEOIS, JR.
UNITED STATES MAGISTRATE JUDGE