

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

EDWARD VAN HORN, #49115-019,

Plaintiff,

CIVIL ACTION NO. 12-11880

v.

DISTRICT JUDGE GEORGE CARAM STEEH

JAMES S. WALTON,  
C. GOMEZ, FEDERAL BUREAU OF  
PRISONS and BARDSLRY,

MAGISTRATE JUDGE MARK A. RANDON

Defendants.

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**ORDER WITHDRAWING PLAINTIFF'S  
MOTION TO STRIKE DEFENDANTS EX PARTE MOTION**

On July 26, 2012, Defendants filed an Ex Parte Motion for Permission to file an Exhibit Under Seal. (Dkt. No. 19). Defendants indicated that they intended to file a motion to dismiss, and asked the Court for permission to file one exhibit under seal. On July 30, 2012, Defendants filed their Motion to Dismiss. (Dkt. No. 20).

This matter is before the Court on Plaintiff's Motion to Strike Defendants Ex Parte Motion. (Dkt. No. 39). Plaintiff says defense counsel did not file an appearance, and the case is not ripe for a Motion to Dismiss.

On October 3, 2012, Plaintiff filed a letter stating he is withdrawing his motion to strike. (Dkt. No. 42). Accordingly, Plaintiff's motion is **WITHDRAWN**.

**IT IS ORDERED.**

s/Mark A. Randon  
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Mark A. Randon  
United States Magistrate Judge

Dated: October 12, 2012

Certificate of Service

*I hereby certify that a copy of the foregoing document was mailed to the parties of record on this date, October 12, 2012, by electronic and/or ordinary mail.*

*s/Melody Miles*  
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*Case Manager*