## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF MISSISSIPPI WESTERN DIVISION

JAMES GREEN, JR.

**PETITIONER** 

V.

CIVIL ACTION NO. 5:09cv171-DCB-MTP

BRUCE PEARSON, Warden

RESPONDENT

## **FINAL JUDGMENT**

This cause is before the court upon the Notice of Voluntary Dismissal [10] filed by Petitioner. As the Defendant has not yet served an answer or dispositive motion, the court finds that this action should be dismissed without prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A). Accordingly,

IT IS, THEREFORE, ORDERED AND ADJUDGED that this cause filed pursuant to 28 U.S.C. § 2241 be dismissed without prejudice. All pending motions are denied as moot.

SO ORDERED AND ADJUDGED, this the  $\frac{q^{+}}{}$ 

day of March, 2010.

UNITED STATES MAGISTRATE JUDGE