

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

**GARRIN DAVID SMITH, # 11304-171  
a.k.a. Garrett D. Smith**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 5:09-cv-188-DCB-MTP**

**JOHNNY MACK BROWN, et al.**

**DEFENDANTS**

**ORDER**

Before the Court is Plaintiff's motion to dismiss [10] in which he states that he wishes to dismiss the above entitled action. The Court is of the opinion that the same is well taken and should be granted. Accordingly, the Plaintiff's motion to dismiss is **granted** and this cause is hereby **dismissed** without prejudice.

**SO ORDERED** this the 27th day of January, 2010.

s/David Bramlette \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE