

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

<b>ROBERT HARDEN,</b>	)	<b>CASE NO. 4:11CV3084</b>
	)	
<b>Petitioner,</b>	)	
	)	
<b>v.</b>	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
<b>FRED BRITTEN, Warden, and</b>	)	
<b>ROBERT HOUSTON, Director of the</b>	)	
<b>Department of Corrections,</b>	)	
	)	
<b>Respondents.</b>	)	

This matter is before the court on Petitioner’s Motion for Leave to Withdraw Writ for Habeas Corpus, which the court liberally construes as a motion to voluntarily dismiss. (Filing No. [26](#).) In his Motion, Petitioner requests that the court dismiss his Petition for Writ of Habeas Corpus without prejudice because he “is not knowledgeable on the correct and proper procedure,” and because the court has previously denied his requests for appointment of counsel. (*Id.* at CM/ECF p. 1.) Respondents have not objected to dismissal. For good cause shown, the Motion is granted.

IT IS THEREFORE ORDERED that:

1. Petitioner’s Motion to Withdraw Document (Filing No. [26](#)), construed as a motion to voluntarily dismiss, is granted;
2. This matter is dismissed without prejudice. A separate judgment will be entered in accordance with this Memorandum and Order; and
3. All other pending motions are denied as moot.

DATED this 7<sup>th</sup> day of November, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

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