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IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#38) entered on January 28, 2014, is adopted and accepted, and Motion to Withdraw Complaint or Voluntary Dismissal (#37) is GRANTED.

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED without prejudice**.

IT IS SO ORDERED.

DATED this 8th day of April, 2014.

  
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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE