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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

JOHN WALKER,

Plaintiff,

v.

MICHAEL HALEY et al.,

Defendants.

Case No. 3:14-cv-645-MMD-VPC

ORDER

I. DISCUSSION

On December 11, 2014, Plaintiff, a *pro se* prisoner, initiated this case. (Dkt. no. 1, 1-1.) On January 9, 2015, Plaintiff filed a motion to defer screening in this case until March 9, 2015, to give the parties an opportunity to settle their dispute. (Dkt. no. 3.) Plaintiff informed the Court that Defendants had made a tentative offer to Plaintiff and that if the terms were met, Plaintiff would dismiss his case. (*Id.* at 1.) On February 9, 2015, Plaintiff filed a motion to voluntarily dismiss his case because the parties had resolved the matter to their mutual satisfaction. (Dkt. no. 4.)

Pursuant to Federal Rule of Civil Procedure 41, a plaintiff may dismiss an action without a court order by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i).

In this case, Defendants have not filed any responsive pleading. As such, the Court grants Plaintiff's motion to voluntarily dismiss this case.

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II. CONCLUSION

For the foregoing reasons, it is ordered that the application to proceed *in forma pauperis* (dkt. no. 1) is denied as moot.


It is further ordered that the motion to temporarily defer case screening (dkt. no. 3) is denied as moot.

It is further ordered that the motion to voluntarily withdraw/dismiss case (dkt. no. 4) is granted.

It is further ordered that this case is voluntarily dismissed, without prejudice.

The Clerk of the Court shall enter judgment accordingly.

DATED THIS 11th day of February 2015.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE