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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

WILLIE SAMPSON,  
  
v.  
DIRECTOR NEVADA DEPARTMENT OF  
CORRECTIONS et al.,  
  
Defendants.

Case No. 3:15-cv-00082-MMD-VPC  
  
ORDER

**I. DISCUSSION**

Plaintiff, a *pro se* prisoner, previously filed an application to proceed *in forma pauperis* and a civil rights complaint pursuant to 42 U.S.C. § 1983. (Dkt. no. 5, 5-1.) This Court previously entered a screening order dismissing some of Plaintiff’s claims with prejudice and some of Plaintiff’s claims with leave to amend. (Dkt. no. 8 at 12.)

Plaintiff now files a motion for voluntary dismissal. (Dkt. no. 13.) Pursuant to Federal Rule of Civil Procedure 41(a)(1), 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). The Court grants Plaintiff’s motion to voluntarily dismiss this action because no responsive pleading has been filed in this case. As such, the Court dismisses this action without prejudice.

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**II. CONCLUSION**

For the foregoing reasons, it is ordered that the motion for voluntary dismissal (dkt. no. 13) is granted.

It is further ordered that the application to proceed *in forma pauperis* (dkt. no. 5) is denied as moot.

It is further ordered that this action is dismissed in its entirety without prejudice.

It is further ordered that the Clerk of the Court shall enter judgment accordingly.

DATED THIS 8<sup>th</sup> day of June 2015.



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MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE