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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRISTOPHER MERRITT,
Plaintiff,

v.

NEVADA DEPARTMENT OF
CORRECTIONS, et al.,
Defendants.

Case No. 3:15-cv-00497-RCJ-VPC

Order

On March 31, 2016, the Court issued an order screening Plaintiff's first amended complaint. (ECF No. 9). The Court granted Plaintiff thirty days in which to file a second amended complaint to cure deficiencies in his first amended complaint, as outlined in the Court's screening order. (*Id.* at 15:1-3). Plaintiff filed a motion to extend time requesting an additional 120 days to file his second amended complaint. (ECF No. 11). The Court issued its order addressing Plaintiff's motion to extend time on April 18, 2016. (ECF No. 13). The Court noted that Plaintiff must exhaust his administrative remedies, and gave him until May 9, 2016 to file a notice of voluntary dismissal or to file his second amended complaint. (*Id.* at 4:4-11).

On April 29, 2016, Plaintiff filed a motion to dismiss his complaint and pending motions

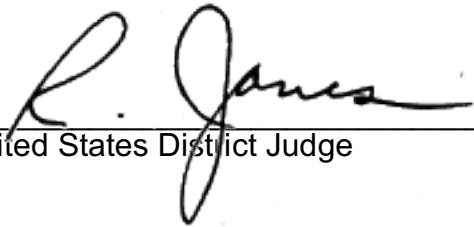
1 with prejudice. (ECF No. 18). Defendants filed their non-opposition to Plaintiff's motion to
2 voluntarily dismiss with prejudice on May 2, 2016. (ECF No. 19). Despite the title of Plaintiff's
3 motion, the Court interprets the motion as one for voluntary dismissal in accordance with the
4 Court's April 18, 2016 order.

5 Accordingly, and based on the foregoing, Plaintiff's motion to dismiss his complaint and
6 pending motions with prejudice (ECF No. 18) is GRANTED in part.

7 IT IS FURTHER ORDERED that Plaintiff's first amended complaint is hereby dismissed
8 without prejudice.

9 IT IS SO ORDERED.

10
11 DATED this 31st day of May, 2016.

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13 
14 United States District Judge