

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:11-cv-00529-W

JOHN WASHINGTON, JR.,)
)
 Plaintiff,)
)
 vs.)
)
 MARTIN MARIETTA MATERIALS,)
 INC.,)
)
 Defendant.)


ORDER

THIS MATTER is before the Court on Plaintiff’s pro se Motion for Voluntary Dismissal “With Prejudice” (Doc. No. 8). Defendant responded that it has no opposition to the motion. (Doc. No. 9). Because Plaintiff appears *pro se* and the Court cannot be sure that he understands the effect of a dismissal with prejudice, the Court, in its discretion, dismisses this case specifically without prejudice to Plaintiff’s ability to re-file as allowed by law.

IT IS THEREFORE ORDERED that Plaintiff’s Motion for Voluntary Dismissal (Doc. No. 8) is GRANTED with the modification that this case be DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED.

Signed: February 16, 2012



Frank D. Whitney
United States District Judge

