

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

COREY OFFINEER	:	
	:	
Plaintiff,	:	
	:	Case No. C2-09-CV-493
v.	:	
	:	JUDGE ALGENON L. MARBLEY
DETECTIVE ROGER KELLY, et al	:	
	:	Magistrate Judge Kemp
Defendant.	:	

ORDER

This matter is before the Court on Plaintiff’s Motion to Dismiss Claims Against Defendant Amy Brand Only (Rule 21) (Dkt. 17). On July 13, 2007, Plaintiff filed an Amended Complaint with this Court alleging that Roger Kelly, Six County Inc, Darcy Stephens, Amy Brand RN, Danine Lajiness-Polosky, Bonnie J Taylor, William Clark Harlan DO & Matt Lutz were deliberately indifferent to Plaintiff’s Fourteenth Amendment rights regarding improper and inadequate medical care while in custody. Upon further investigation and review of Plaintiff’s medical records, Plaintiff has moved to Dismiss Claims Against Defendant Amy Brand. Plaintiff represented to the Court that pursuant to Local Rule 7.3(b) he consulted with and received the consent of counsel for Defendant Brand regarding her dismissal.

Under Fed. R. Civ. P. 21, “[o]n motion or on its own, the court may at any time, on just terms, add or drop a party.” Due to the Plaintiff’s review of his medical records and his motion to dismiss Defendant Brand, this Court finds there are just terms to dismiss Defendant Brand.

For the reasons stated above, Plaintiff's Motion to Dismiss Claims Against Defendant Amy Brand Only (Rule 21) is **GRANTED**.

IT IS SO ORDERED.

 s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT JUDGE

DATED: September 14, 2009