

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TINA BRICKLES, <i>et al.</i> ,	:	Case No. 3:18-cv-193
	:	
Plaintiffs,	:	Judge Thomas M. Rose
	:	
v.	:	
	:	
JUSTIN SANDERSON, <i>et al.</i> ,	:	
	:	
Defendants.	:	

ENTRY AND ORDER GRANTING PLAINTIFFS’ MOTION TO DISMISS (DOC. NO. 67); DISMISSING THE REMAINING CLAIMS IN THIS CASE WITHOUT PREJUDICE; AND TERMINATING THIS CASE

This case is before the Court on “Plaintiffs’ Motion to Dismiss Pursuant to Fed. Civ. Rule 41” (Doc. No. 67). On March 10, 2021, the Court entered an order granting summary judgment to Defendants Village of Phillipsburg, Ohio and Mark Wysong, dismissing all remaining claims against those two defendants with prejudice. (Doc. No. 66.) As stated in that order, this action continued with Plaintiffs’ remaining claims against the sole remaining defendant, Justin Sanderson. (*Id.* at PageID 1088.) As Plaintiffs note in the present motion, “Defendant Sanderson is presently incarcerated,” having recently been “sentenced to a term of 43 years” in prison. (Doc. No. 67 at PageID 1089.) And, as Plaintiffs note in the present motion, “during the conference call with the Court on May 19, 2021, Defendant Sanderson did not object to the Plaintiff’s [sic] seeking a dismissal without prejudice.” (*Id.* at PageID 1090.)

Therefore, the Court **GRANTS** Plaintiffs’ Motion to Dismiss Pursuant to Fed. Civ. Rule 41 (Doc. No. 67). The remaining claims in this case are **DISMISSED WITHOUT PREJUDICE**

in accordance with Federal Rule of Civil Procedure 41(a)(2). The Court directs the Clerk to **TERMINATE** this case on the Court's docket.

DONE and **ORDERED** in Dayton, Ohio, this Tuesday, May 25, 2021.

s/Thomas M. Rose

THOMAS M. ROSE
UNITED STATES DISTRICT JUDGE