

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

TONY JAROME EPPS,	:	
	:	
Plaintiff,	:	
	:	
v.	:	No.: 4:17-CV-1059
	:	
J. FORTSON, ET AL.,	:	(Judge Brann)
	:	
Defendants.	:	

ORDER

AND NOW, this 23rd day of January 2018, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Plaintiff's letter to withdraw (Doc. 22) is construed as a notice of voluntary dismissal under Federal Rule of Civil Procedure 41(a)(1) .
2. Plaintiff's request for voluntary dismissal is accepted and his pending action is **DISMISSED WITHOUT PREJUDICE**.
3. The Plaintiff's motions seeking an evidentiary hearing (Doc. 20) and for summary judgment (Doc. 21) are **DEEMED WITHDRAWN**.
4. Defendants' motion to dismiss (Doc. 14) is **DISMISSED AS MOOT**.
5. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge