

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
ORANGEBURG DIVISION

JEROD J. COOK #282755,

C.A. No. 5:14-cv-1938-RMG

Plaintiff,

v.

LT. JORDAN WILLIAMS, WARDEN
JOSEPH McFADDEN, AND DEPUTY
DIRECTOR ROBERT E. WARD,


Defendants.

**ORDER OF DISMISSAL WITHOUT
PREJUDICE AS TO DEFENDANTS
MCFADDEN AND WARD**

Plaintiff has filed a Motion to Strike Defendants Warden Joseph McFadden (“McFadden”) and Deputy Director Robert E. Ward (“Ward”) from this action. ECF No. 27. The Defendants responded to Plaintiff’s Motion by interpreting it to be a request to dismiss pursuant to Fed. R. Civ. P. 41(a)(2), consented to Plaintiff’s request and requested that the dismissal be with prejudice. ECF No. 29.

Based on the foregoing, this Court finds that Plaintiff’s Motion to Strike, ECF No. 27, is more properly a request to the Court to dismiss Defendants McFadden and Ward from this action pursuant to Fed. R. Civ. P. 41(a)(2). Therefore, it is hereby ordered that Defendants Warden Joseph McFadden and Deputy Director Robert E. Ward be dismissed without prejudice.

IT IS SO ORDERED.



Richard M. Gergel
United States District Judge

August 13, 2014

Charleston, South Carolina