

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

Luisa Ojeda, Domingo Morales,)
Paige Anderson, and Kasey Walton,)

Plaintiffs,)

v.)

Case No. 3:14-CV-575-PLR-HBG

El Jimador, Inc., Manuel Villalobos,)
Jesus Monarrez, and Jesus Yanez,)

Defendants.)

Memorandum Opinion and Order

This matter is before the Court on Luisa Ojeda and Domingo Morales’s motions to dismiss their claims [R. 36, 37]. In their handwritten motions, the plaintiffs indicated that they “do not have sufficient evidence to continue [their] case[s].” The defendants have responded indicating that they are not opposed to the motions to dismiss; however, the defendants contend that the dismissals should be with prejudice based on the plaintiffs’ admissions.

At the time the plaintiffs filed their motions to dismiss, they were represented by counsel. Nevertheless, Ms. Ojeda and Mr. Morales filed their motions *pro se*. Their attorney has since been given permission to withdraw, and Ms. Ojeda and Mr. Morales are now proceeding *pro se*. [R. 44]. While the plaintiffs’ statements could be deemed an admission, it is possible they made their statements against or without the advice of counsel. To avoid any potential prejudice, their motions [R. 36, 37] are **Granted**, and their claims are dismissed without prejudice.

IT IS SO ORDERED.

Jamela F. Seever
UNITED STATES DISTRICT JUDGE