

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

ROBERT LEBLANC §  
VS. § CIVIL ACTION NO. 1:14cv253  
JOHN KIMBROUGH §

MEMORANDUM OPINION


Petitioner Robert LeBlanc, an inmate confined within the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed what has been construed as a petition for writ of habeas corpus.<sup>1</sup>

Petitioner has filed a motion (doc. no. 17) asking that this matter be voluntarily dismissed. Pursuant to Federal Rule of Civil Procedure 41(a), petitioner is entitled to dismiss his lawsuit prior to the service of adverse parties.

**ORDER**

For the foregoing reasons, petitioner's motion for voluntary dismissal is hereby **GRANTED**. A Final Judgment shall be entered dismissing the petition without prejudice in accordance with Rule 41(a).

SIGNED this 27th day of January, 2015.

  
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Zack Hawthorn  
United States Magistrate Judge

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<sup>1</sup> This case was directly assigned to the undersigned magistrate judge pursuant to this district's General Order 14-10. Petitioner has provided voluntary written consent to have the assigned magistrate judge conduct all further proceedings in this case, including trial and entry of final judgment in accordance with 28 U.S.C. § 636. The respondent in this action has not been served; thus, he is not a party to the action at this time. As a result, his consent is not needed for the undersigned to make a final determination in this matter. *See Neals v. Norwood*, 59 F.3d 530, 532 (5th Cir. 1995).