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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LINDA BAYS,

Plaintiff,

v.

CITY OF KENNEWICK,
KENNEWICK POLICE
DEPARTMENT, KENNEWICK
PROSECUTORS OFFICE, BENTON
COUNTY JAIL, BENTON COUNTY
DISTRICT COURT, OFFICER DAN
TODD, OFFICER JOE JACKSON,
ASSISTANT CITY ATTORNEY,
CODEE L. McDANIEL, and JOHN
and/or JANE DOES,

Defendants.

NO: 4:17-CV-0310-TOR

ORDER GRANTING PLAINTIFF'S
MOTION TO VOLUNTARILY
DISMISS CERTAIN DEFENDANTS

BEFORE THE COURT is Plaintiff's Motion to Voluntary Dismiss Without
Prejudice (ECF No. 18). Plaintiff moves the Court to dismiss her Complaint
without prejudice against the Benton County District Court, Kennewick
Prosecutors Office, and Officer Dan Todd pursuant to Federal Rule of Civil

ORDER GRANTING PLAINTIFF'S
MOTION TO VOLUNTARILY DISMISS ~ 1

1 Procedure 41(a). The motion was submitted without a request for oral argument.
2 The Court has reviewed the file and the record, and is fully informed.

3 Rule 41(a)(1) allows the plaintiff to dismiss an action without prejudice by
4 filing a notice of dismissal before the opposing party serves either an answer or a
5 motion for summary judgment. Defendants have not filed an answer or a motion
6 for summary judgment. Plaintiff thus has the right to dismiss the claim against the
7 above named defendants. Pursuant to Rule 41(a), the Motion to Voluntarily
8 Dismiss is GRANTED.

9 **ACCORDINGLY, IT IS HEREBY ORDERED:**

10 Plaintiff's Motion to Voluntarily Dismiss without Prejudice (ECF No. 18) is
11 **GRANTED**. Plaintiff's Complaint against Benton County District Court,
12 Kennewick Prosecutors Office, and Officer Dan Todd is **dismissed without**
13 **prejudice**.

14 The District Court Executive is directed to enter this order, terminate the
15 above named defendants from the action, and furnish copies to the parties.

16 **DATED** January 5, 2018.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge