

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT BLUEFIELD

VICTOR LEE KUSTES,

Petitioner,

v.

CIVIL ACTION NO. 1:19-00317

WARDEN BARBARA RICKARD,

Respondent.

**MEMORANDUM OPINION AND ORDER**

Pending before the court is petitioner's motion to voluntarily dismiss his case. (ECF No. 17.) Petitioner wishes to dismiss this case so that he may refile and more effectively pursue his claims. For good cause shown, petitioner's motion to voluntarily dismiss is **GRANTED**, and petitioner's petition for writ of habeas corpus, (ECF No. 1), is hereby **DISMISSED without prejudice**. The Clerk is directed to remove this case from the court's active docket.

The Clerk is further directed to forward a copy of this Memorandum Opinion and Order to counsel of record and unrepresented parties.

**IT IS SO ORDERED** this 23rd day of July, 2020.

ENTER:



David A. Faber

Senior United States District Judge