

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RAY T. SLACK,

Plaintiff,

v.

SHERIFF ROBERT HERTZ, CAPT.
DONALD BUNT and CAPT. GARY BOST,

Defendants.

Case No. 11-cv-870-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on plaintiff Ray T. Slack's Motion to Dismiss the remaining claims in this case pursuant to Federal Rule of Civil Procedure 41(a)(2) (Doc. 33). Rule 41(a)(2) provides that only the Court may dismiss an action after an adverse party has filed an answer or motion for summary judgment and in the absence of a stipulation of dismissal of an entire case signed by all the parties. The Court has reviewed the motion and believes that dismissal without prejudice is appropriate. Accordingly, the Court **GRANTS** the motion (Doc. 33), **DISMISSES** the remaining claims in this case **without prejudice**, and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.
DATED: March 4, 2013

s/J. Phil Gilbert
J. PHIL GILBERT
United States District Judge