



Wesson v. United States of America

2016 | Cited 0 times | W.D. Virginia | January 19, 2016

THOMAS W ESSON,

Peti tioner,

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FOR THE WESTERN DISTRI CT OF W RGI NIA J PL I A ua cu

ROANOKE DIVISION B

. Ep Ci vil Acti on No. 7:15-cv-00659

By: Hon. Jackson L. Ki se:

Senior Uni ted Stâtes Distri ct Judge UNITED STATES OF AMERICA,

Respondent. Thomas W esson, a federa; prisoner proceedi ng pro K, fil ed a pet i ti on for a m it of habeas cor pus, purs uant t o 28 U. S. C. j 2241. Pet i t i oner now r equest s t hat 1 permi t hi m t o vol t mt adl y di smi ss t hi s act i on wi t hout pre judi ce. Feder al Rul e of Ci vi l Pr ocedt l re 41(a) (1) (A) (i) al l ows a peti tioner t o vol untaril y dismi ss an act ion wi thout a court order by fli ng a tl oti ce of di smi ssal bef or e t he opposi ng part y serves an ans wer or mot i on f or s ummary judgment . Respondent has not yet fl ed a response, but i nasmuch as Peti ti oner asks me to grant ll is motion to vol unt ari l y dismiss, i t is hereby

ORDERED t hat Pet i t i oner ' s mot i on f or vol t mt ar y di s mi ssal i s GRANTED; a1 1 pendi ng mot i ons ar e DENIED as moot; t he case i s DISMISHED wi t hout pre judi ce; and t he act i on i s STRICKEN f zom t he acti ve docket of t he court.

The Cl erk shal l send a copy of t l t is Order t o Peti t ioner.

1 d a y o f J a n u a r y , 2 0 1 6 . ENTER: Th i s

4 - . 5 Se or Uz l it ed States Di st ri ct Judge

