

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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EDWIN C. WEST,

Plaintiff,

v.

STEVE HAMILTON, AMY WYTTENBACH,  
DENNIS SNYDER and DARLENE  
HEIMERMANN-RAMSEY,

Defendants.  
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ORDER

04-C-211-C

On September 17, 2004, plaintiff requested to dismiss this case voluntarily. In an order entered on September 21, 2004, I told plaintiff that ordinarily, when a case has progressed as far as this one had, I would allow a voluntary dismissal only if the dismissal was “with prejudice,” meaning that plaintiff could not bring his claims against these defendants again. Because of this, I gave plaintiff until September 30, 2004, in which to withdraw his motion for voluntary dismissal. Before plaintiff could respond to the September 21 order, defendants wrote to the court to advise that they had no objection to a dismissal “without prejudice” to plaintiff’s filing his lawsuit again at some future date. Assuming plaintiff would have no objection to such a dismissal, I entered an order dismissing this case on September 27, 2004. The next day, the court received from plaintiff a “Motion

to Withdraw Voluntary Dismissal,” in which plaintiff objected to a dismissal with prejudice.

Unless plaintiff advises this court and opposing counsel to the contrary, I will assume that plaintiff is satisfied with a dismissal of his case without prejudice. If, however, plaintiff has changed his mind completely about abandoning prosecution of his claims at this time, he will have to write again to confirm that he wishes the case reopened.

#### ORDER

IT IS ORDERED that plaintiff may have until October 18, 2004, in which to move to reopen this case. If, by October 18, 2004, plaintiff fails to file such a motion, I will assume that he is satisfied with a dismissal of this action without prejudice and the case will remain closed.

Entered this 30th day of September, 2004.

BY THE COURT:

BARBARA B. CRABB  
District Judge