

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

JOSE BORRERO,

Plaintiff,

v.

ROBERT BREVARD, BARBARA
RIPANI and ANN SEMROW,

Defendants.

ORDER

05-C-418-C

This is a civil action in which plaintiff contends that defendants violated his Eighth Amendment rights by refusing to respond to his serious dental health care needs. On February 23, 2006, plaintiff filed a motion to voluntarily dismiss this case. Because defendants had filed an answer, I advised plaintiff that any dismissal would be with prejudice unless defendants consented to dismissal without prejudice. On March 3, 2006, defendants submitted a letter in which they declined to agree to such an arrangement. Now plaintiff has written a letter dated March 7, 2006, in which he states that he has “no choice but to give up Case No. 05-C-418-C.” Plaintiff asserts that although he was hoping a lawsuit could help him “get his teeth,” it is not defendant’s fault that he does not have them. I understand

plaintiff's statements as consent to dismissal of this lawsuit with prejudice. Therefore, IT IS ORDERED that plaintiff's case is DISMISSED with prejudice. The clerk of court is directed to enter judgment in favor of defendants and close the file.

Entered this 15th day of March, 2006.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge