

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

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WILLIE ROY LOVE,

Petitioner,

v.

SGT. JAEGER, Bathhouse Supervisor;
ELIZABETH LEMERY, Management Services Director;
WILLIAM POLLARD, Warden of Green Bay
Correctional Institution,

Respondents.

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ORDER

06-C-722-C

Plaintiff has informed the court that he wishes to withdraw his sole remaining claim that defendants violated his right to equal protection by paying him differently from other prisoners so that he can refile the claim in state court. I construe this as a motion for voluntary dismissal under Fed. R. Civ. P. 41(a)(1) and I will grant the motion. Because no defendant has filed an answer to the complaint, plaintiff does not require an order of the court or a stipulation from the defendants. Accordingly, IT IS ORDERED that this action is DISMISSED WITHOUT PREJUDICE to plaintiff's refiling at a later time in this court or in another court. The clerk of court is directed to enter judgment in favor of defendants and close this case.

Entered this 12th day of March, 2007.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge