

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DEBRAH J. SMITH,

Plaintiff,

vs.

06-4094-SAC

DOLLAR GENERAL CORPORATION
and DOLGENCORP, INC.,

Defendants.

MEMORANDUM AND ORDER

Plaintiff was previously granted an additional 30 days in which to find new counsel or to elect to proceed pro se, or this case would be dismissed with prejudice. By letter dated May 24, 2007, plaintiff thanked the court for permitting her the extra time in which to locate counsel, informed the court that she has been unable to secure counsel to represent her in this matter, and acknowledged her understanding that her case will be dismissed with prejudice.

The court appreciates the plaintiff's contact, as well as the patience and professionalism which defense counsel have shown throughout this truly unusual course of events in which both counsel who represented plaintiff have recently been subject to circumstances which

preclude them from continued representation of the plaintiff. Based upon the court's prior orders, this case shall be dismissed with prejudice for lack of prosecution.

IT IS THEREFORE ORDERED that plaintiff's case is dismissed with prejudice.

Dated this 8th day of June, 2007, Topeka, Kansas.

s/Sam A. Crow

Sam A. Crow, U.S. District Senior Judge