

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

DAVID WOODWARD,)	
)	
Plaintiff,)	
)	
v.)	No. 10-1385 WEB
)	
PHYLLIS K. WEBSTER,)	
)	
)	
Defendant.)	
_____)	

MEMORANDUM AND ORDER

The case comes before the Court on Plaintiff's Motion to Withdraw Complaint (Doc. 4). The Court interprets this motion as a Rule 41(a)(1)(A)(i) voluntary dismissal by the plaintiff. Seeing that the defendant has not yet filed an answer or a motion for summary judgment, such a voluntary dismissal is appropriate.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Withdraw Complaint (Doc. 4) be GRANTED. The case is dismissed without prejudice.

IT IS SO ORDERED this 27th day of January 2011, at Wichita, Kansas.

s/ Wesley E. Brown
Wesley E. Brown
U.S. Senior District Judge