

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

EDDIE MAYS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 10-2281 WEB-DWB
	)	
UPS, UPS/IBT PENSION PLAN,	)	
	)	
	)	
Defendant.	)	
_____	)	

**MEMORANDUM AND ORDER**

The case comes before the Court on Plaintiff's Motion to Withdraw/Dismiss Case (Doc. 15). 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/Dismiss Case (Doc. 15) be GRANTED. The case is dismissed without prejudice.

IT IS SO ORDERED this 8th day of July 2010, at Wichita, Kansas.

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