

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

HECTOR REINDALDO MORALES,

Plaintiff,

v.

CLAYTON COUNTY; VICTOR HILL,  
Individually; LEE WILLIAMS,  
Individually; PATRICK COLLIER,  
Individually; MAURICE JOHNSON,  
Individually,,

Defendants.

CIVIL ACTION

NO. 1:08-CV-3084-CAP

O R D E R

This action is before the court on the plaintiff and Clayton County's consent motion to dismiss claims against defendant Clayton County [Doc. No. 30].<sup>1</sup> The court will grant the motion to dismiss [Doc. No. 30]. Clayton County shall be terminated as a party to this action, and the pending status of Clayton County's motion for summary judgment [Doc. No. 22] shall be terminated.

The court notes that on page five of the electronically-filed motion to dismiss [Doc. No. 30], the plaintiff included a proposed order extending discovery. There is no pending motion to extend discovery in this case. Moreover, the proposed order indicates that the plaintiff has retained new counsel. The docket does not

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<sup>1</sup> While the remaining defendants did not join in consenting to the motion, neither did they file a response. Accordingly, the court considers the motion unopposed. See L.R. 7.1.

reflect new counsel for the plaintiff in this matter. Therefore, the court concludes this proposed order was filed in error and will disregard it.

Because discovery expired on April 30, 2009, and the pending motion for summary judgment has been terminated, the parties' joint proposed pretrial order is due 30 days from the date of this order.

SO ORDERED, this 17<sup>th</sup> day of August, 2009.

/s/ Charles A. Pannell, Jr.  
CHARLES A. PANNELL, JR.  
United States District Judge