

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

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|--|---|-----------------------------------|
| PAULA KAY HEDGEPEETH, <u>et al.</u> |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| vs. |) | CIVIL ACTION NO. 15-0067-C |
| |) | |
| ROY MOORE, |) | |
| |) | |
| Defendant. |) | |

ORDER

This matter is before the court on Plaintiffs’ motion to dismiss (Doc. 34), Judge Roy Moore’s response thereto (Doc. 36), and Moore’s notice of withdrawal of his request to dismiss with prejudice (Doc. 37).

Defendant Bentley had previously moved to dismiss the claims against him and after Plaintiffs failed to respond, moved for his motion to dismiss to be considered unopposed and granted. (Doc. 33). Plaintiff then moved to voluntarily dismiss their claims against all defendants. (Doc. 34). This court granted Plaintiffs’ motion as to Defendant Bentley but stated that unless the Attorney General and Chief Justice Roy Moore objected on or before April 2, 2015, Plaintiffs’ motion to dismiss would be deemed granted and all claims against these remaining defendants would be deemed dismissed without prejudice. (Doc. 34). The Attorney

General did not file an objection. On April 2, 2015, Chief Justice Roy Moore filed a response, requesting that the claims against him be dismissed with prejudice. (Doc. 36). However, on June 16, 2015, Moore filed a notice of withdrawal of his request to dismiss with prejudice. (Doc. 37). In the notice, Chief Justice Moore states that Plaintiffs' motion to dismiss was effective to dismiss all of Plaintiffs' claims against him without prejudice.

In light of Moore's concession, Plaintiffs' motion to dismiss (Doc. 34) is **GRANTED** and **all claims asserted by Plaintiffs against Chief Justice Roy Moore are hereby DISMISSED without prejudice.**

There being no further claims pending, the Clerk of Court is directed to close the file.

DONE and ORDERED this 22nd day of June, 2015.

/s/ Callie V. S. Granade
UNITED STATES DISTRICT JUDGE