

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
AUG 14 2003
By: JAMES W. GULDMACK, CLERK
DEP. CLERK
PLAINTIFFS

TESSA G., A MINOR, BY AND THROUGH
HER FATHER AND NATURAL GUARDIAN,
MARK G.

VS. CASE NO. 4:03-CV-00493 GTE

ARKANSAS DEPARTMENT OF HUMAN
SERVICES, et al.

DEFENDANTS

ORDER OF DISMISSAL WITHOUT PREJUDICE

During a hearing held today, August 14, 2003, to consider Plaintiff's Motion for Preliminary Injunctive Relief, Defendants agreed to provide Plaintiff Tessa G. with an application for ACS Waiver services. This was the primary relief sought by Plaintiff in her motion for preliminary relief and her Complaint. The Court considers it premature to consider other issues, which may or may not arise. Accordingly,

IT IS THEREFORE ORDERED that Plaintiff's Motion for Preliminary Injunctive Relief (Docket No. 2) be, and it is hereby, DISMISSED as MOOT, based on Defendants' voluntary action. The Court considers Plaintiff to be a prevailing party.

IT IS FURTHER ORDERED that Plaintiff's Complaint be, and it is hereby, DISMISSED WITHOUT PREJUDICE.

IT IS SO ORDERED this 14th day of August, 2003.

Jarrett Thomas Cook
UNITED STATES DISTRICT COURT

THIS DOCUMENT ENTERED ON
DOCKET WITH FILE NO. 4:03-CV-00493-10
ON 8-15-03 Jay



jh

UNITED STATES DISTRICT COURT
Eastern District of Arkansas
U.S. Court House
600 West Capitol, Suite 402
Little Rock, Arkansas 72201-3325

August 15, 2003

* * MAILING CERTIFICATE OF CLERK * *

Re: 4:03-cv-00493.

True and correct copies of the attached were mailed by the clerk to the following:

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press, post, GTE

James W. McCormack, Clerk

Date: 8/15/03

BY: 