

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

CHRIS HARGIS,)	
)	
Plaintiff,)	Case No. CV01-230-N-MHW
)	
vs.)	ORDER
)	
MAURICE MASAR, et al.,)	
)	
Defendants.)	
_____)	

Pending before the Court is Plaintiff's Motion to Dismiss (Docket No. 27). The Court has determined that good cause exists to grant Plaintiff's Motion.

BACKGROUND

After the Judgment was entered in this case, Plaintiff filed a Motion to Set Aside the Settlement Agreement. He alleged that Defendants failed to follow the terms of the parties' Settlement Agreement, and the Court issued notice of an Order to Show Cause hearing on the matter. Defendants submitted affidavits in which they admitted that there had been a failure to follow the terms of the parties' settlement agreement, but they argued that their failure had resulted in no damage to Plaintiff.

The parties had previously attended a settlement conference with Judge David O.

Carter, and he requested that the matter be set for a status conference. He offered to reconvene a settlement conference in the case, and requested that the parties provide notice to him, if they decided to pursue another settlement conference.

Plaintiff submitted a letter to the Court, which he described as a Motion to Dismiss. *Docket No. 27*, p. 1. The letter requests that the Court take no further action on the settlement agreement issue, and also requests that Plaintiff's counsel be allowed to withdraw from his pro bono appointment. *Id.*, p. 2. It appears that good cause exists to grant Plaintiff's request.

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that Plaintiff's Motion to Dismiss his request to set aside the parties' settlement agreement (*Docket No. 27*) is GRANTED without prejudice.

IT IS FURTHER HEREBY ORDERED that the appointment of Gregory M. Miller pursuant to the Court's Pro Bono Program is withdrawn.



DATED: May 16, 2006

A handwritten signature in black ink, reading "Mikel H. Williams".

Honorable Mikel H. Williams
United States Magistrate Judge