

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

DOMENICO NUCKOLS,

Plaintiff,

VS.

STATE OF TEXAS, *et al*,

Defendants.


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CIVIL ACTION NO. 3:13-CV-245

**ORDER**

Plaintiff Domenico Nuckols has moved to dismiss his *pro se* suit challenging the Texas Constitution’s ban on same-sex marriage. *See* Docket Entry No. 4. Because service has not yet been effectuated on Defendants, Nuckols may dismiss his suit without prejudice under Federal Rule of Civil Procedure 41(a). *See* Fed. R. Civ. P. 41(a). The Court therefore **GRANTS** the motion (Docket Entry No. 4) and dismisses this case **WITHOUT PREJUDICE**.

**SIGNED** this 16th day of July, 2013.

  
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Gregg Costa  
United States District Judge