

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
BLUEFIELD

WILHELMINA ANDERSON,

Plaintiff,

v.

Civil Action No. 1:05-0876

UNITED STATES OF AMERICA,

Defendant.

MEMORANDUM OPINION AND ORDER

Pending before the court is the United States' motion to dismiss. The government asserts that plaintiff's complaint should be dismissed because of her failure to provide the Bureau of Prisons with a screening certificate of merit, as required by W. Va. Code § 55-7B-6. Plaintiff argues that the court should give her an additional thirty days in which to obtain the requisite screening certificate. Accordingly, the court will hold the motion to dismiss in abeyance for thirty days from entry of this order to allow plaintiff time to obtain a screening certificate of merit.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to counsel of record.

IT IS SO ORDERED this 11th day of August, 2009.

ENTER:



David A. Faber

Senior United States District Judge