

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

LAWRENCE RAGEL BYRD,	:	
Plaintiff,	:	
vs.	:	CIVIL ACTION NO. 11-0468-CG-C
CITY OF DAPHNE, <u>et al.</u>,	:	
Defendants.	:	

JUDGMENT

In accordance with the order entered on this date, it is hereby **ORDERED, ADJUDGED,** and **DECREED** that the Court **GRANT** the defendants’ motions to dismiss (Docs. 12 & 14; see also Docs. 28 & 29). To the extent Byrd’s complaint asserts a false imprisonment/arrest claim, it is due to be **DISMISSED WITH PREJUDICE** because it was not filed within two years of the accrual date of this claim. To the extent the complaint, along with plaintiff’s response in opposition to the motions to dismiss, should be read by the Court as asserting a malicious prosecution claim, such claim is due to be **DISMISSED WITHOUT PREJUDICE** due to Byrd’s failure to state a claim upon which relief can be granted.

DONE and ORDERED this 27th day of March, 2012.

/s/ Callie V. S. Granade

UNITED STATES DISTRICT JUDGE