

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

FREDDIE J. KELLY

PLAINTIFF

v.

No. 4:08-CV-02144-WRW

**CITY OF CONWAY, ARKANSAS;
CONWAY POLICE DEPARTMENT;
CONWAY FIRE DEPARTMENT and
OFFICER CLAYTON SMITH**

DEFENDANTS

ORDER

Pending is the Motion to Dismiss of separate Defendants Conway Police Department and Conway Fire Department (Doc. No. 9). Plaintiff has responded.¹

In his response, Plaintiff agrees with Defendants' position. Defendants' Motion to Dismiss is GRANTED. Accordingly, separate Defendants Conway Police Department and Conway Fire Department are dismissed.

IT IS SO ORDERED this 27th day of October, 2008.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE

¹Doc. No. 15.