

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

RAY C. BRANCH, JR.

PLAINTIFF

v.

NO. 4:15CV00351 JLH

KROGER LIMITED PARTNERSHIP

DEFENDANT

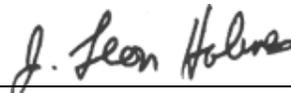
ORDER

Ray C. Branch, Jr., commenced this action on June 12, 2015, alleging that Kroger Limited Partnership discriminated against him in violation of Title VII of the Civil Rights Act. Branch alleges in his complaint that the act of discrimination occurred on July 8, 2008, and that he filed charges with the Equal Employment Opportunity Commission on October 14, 2014. He says that the EEOC issued a right-to-sue letter on March 27, 2015.

Kroger has now filed a motion to dismiss, pointing out that 42 U.S.C. § 2000e-5(e)(1) requires that an administrative charge be filed within 180 days after the act of discrimination occurred. Here, according to the complaint, the administrative charge was filed more than six years after the act of discrimination. Therefore, this action is barred by the period of limitations established in 42 U.S.C. § 2000e-5(e)(1).

Kroger's motion to dismiss is GRANTED. Document #13. This action is hereby dismissed with prejudice.

IT IS SO ORDERED this 18th day of August, 2015.



J. LEON HOLMES
UNITED STATES DISTRICT JUDGE