

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

JOHN BREEDLOVE;
DELORES BREEDLOVE

PLAINTIFFS

v. Civil No. 08-2018

CITY OF COAL HILL;
DAVID PILKINGTON, Individually
and in his Official Capacity
as Police Chief of the City of Coal Hill

DEFENDANTS

JUDGMENT

NOW on this 21st day of January 2009, in the above-referenced matter, comes on for this Court's consideration the **Motion for Summary Judgment** (document #20) filed by Defendants City of Coal Hill and David Pilkington (hereinafter "Defendants"), and Plaintiff John and Delores Breedlove's (hereinafter "Plaintiffs") response thereto, and for the reasons set forth in the Court's Order of this date, the Court finds and orders as follows:

* that the said motion should be, and it hereby is, **granted** and Plaintiffs' constitutional claims against Defendants are **dismissed with prejudice**; and

* that Plaintiffs' remaining state law tort claims against Defendants should be, and they hereby are, **dismissed without prejudice**.

IT IS SO ORDERED.

/s/ Jimm Larry Hendren
JIMM LARRY HENDREN
UNITED STATES DISTRICT JUDGE