



Accordingly, Walker's claims against Defendants Shupe and Hammons are **DISMISSED without prejudice.**<sup>1</sup>

**SO ORDERED**, this 28th day of November, 2017.

S/ Marc T. Treadwell  
MARC T. TREADWELL, JUDGE  
UNITED STATES DISTRICT COURT

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<sup>1</sup> The Court notes that dismissal of the Plaintiff's claim is practically with prejudice because the 90-day period after receipt of her right to sue letter from the EEOC, in which the Plaintiff must file her complaint, has passed. However, as stated, Walker's claims against Shupe and Hammons fail as a matter of law, and any amendment would be futile. Therefore, despite the running of the limitations period, dismissal is warranted.