

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ARIANA R. JORDAN,

Plaintiff,

v.

Case No. 17-cv-434-JPG-DGW

JUSTIN D. KRAUSZ, JARED MISSEY,  
ROBERT CARPENTER and THE VILLAGE  
OF MARYVILLE,

Defendants.

**MEMORANDUM AND ORDER**

On November 20, 2017, the Court dismissed Count III against the defendant Village of Maryville on the grounds that plaintiff Ariana R. Jordan had not sufficiently alleged a municipal constitutional violation under *Monell v. Department of Social Services*, 436 U.S. 658 (1978) (Doc. 18). The Court dismissed Count III without prejudice and with leave to replead on or before December 1, 2017. It further warned Jordan that if she failed to amend her pleading in a timely manner to adequately allege a cause of action, the Court might construe her failure to amend as an admission that she cannot plead a viable *Monell* claim and could convert the dismissal of Count III to with prejudice.

December 1, 2017, has come and gone, and Jordan has not even attempted to replead Count III. The Court construes this as an admission that she is unable to adequately plead a viable cause of action against the Village of Maryville under *Monell*. Accordingly, the Court **DISMISSES** Count III **with prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly at the close of the case. The Village of Maryville remains in this case as to Count IV only.

**IT IS SO ORDERED.****DATED: December 5, 2017**

s/ J. Phil Gilbert  
**J. PHIL GILBERT**  
**DISTRICT JUDGE**