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AUG 23 2010

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WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

THADDAUS SINGLETON et al.

CIVIL ACTION NO. 1:10-cv-00163

-vs-

JUDGE DRELL

TOWN OF VIDALIA

MAGISTRATE JUDGE KIRK

-JDK Singleton et al v. Vidalia

Doc. 12

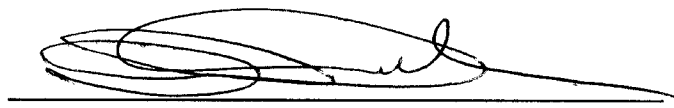
R U L I N G

Pending before the Court is a Rule 12(b)(6) Motion for Partial Dismissal (Doc. 5) filed by the Defendant, the Town of Vidalia ("Town"). This motion seeks dismissal only of the Plaintiffs' First Amendment claim. The Town argues that the Plaintiffs' Complaint (Doc. 1) contains merely conclusory allegations, which fail to identify the alleged protected speech, or any facts sufficient to establish a causal link between the Plaintiffs' exercise of their First Amendment rights and their subsequent termination. A review of the Plaintiffs' Complaint (Doc. 1) reveals only two scant allegations which may support their First Amendment claim: (1) that the Plaintiffs "have been vocal advocates for publicly funded housing"; and (2) that the Plaintiffs were terminated "because they had exercised their First Amendment rights to advocate for housing for disadvantaged persons." (Doc. 1, p. 2).

In response to the Town's motion, the Plaintiffs filed a Consent to Partial Dismissal (Doc. 11), in which the Plaintiffs agreed to dismiss their First Amendment claim, while reserving all other claims asserted in their Complaint. Because the Town's motion seeks dismissal only of the Plaintiffs' First Amendment claim, and

with the Plaintiffs' consent to such a limited dismissal, the Town's Rule 12(b)(6) Motion for Partial Dismissal (Doc. 5) will be GRANTED. Disposition will follow by a separate judgment.

SIGNED on this 28<sup>th</sup> day of August, 2010 at Alexandria, Louisiana.

A handwritten signature in black ink, appearing to read "Dee D. Drell", written over a horizontal line.

DEE D. DRELL  
UNITED STATES DISTRICT JUDGE