

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MAURICE EDWARDS,
Plaintiff,

No. 1:09-cv-1067

-v-

HONORABLE PAUL L. MALONEY

GRAND RAPIDS COMMUNITY COLLEGE,
Defendant.

ORDER GRANTING DEFENDANT'S MOTION FOR PARTIAL DISMISSAL

Plaintiff Maurice Edwards, through counsel, filed an amended complaint against Defendant Grand Rapids Community College. (Dkt. No. 25.) Defendant Grand Rapids Community College filed a motion for partial dismissal. (Dkt. No. 29.) In the motion, Defendant sought to dismiss Count II (violation of the Civil Rights Act of 1964 and 1991, 42 U.S.C. § 1981), Count III (intentional infliction of emotional distress), and Count VI (intrusion upon seclusion, solitude, or private affairs) of the complaint. Defendant argues, because it is a state actor, it cannot be held liable under the statute and is immune from tort liability under Michigan's Government Tort Liability Act. Plaintiff Edwards filed a response (Dkt. No. 35) in which he "does not oppose the motion for partial dismissal regarding the three counts" and "concurs in the limited relief requested by Defendant."

Therefore, Defendant Grand Rapids Community College's motion for partial dismissal (Dkt. No. 29) is **GRANTED**. Claims II, III, and VI of the amended complaint are **DISMISSED WITH PREJUDICE. IT IS SO ORDERED.**

Date: March 29, 2010

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge