

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
NORTHERN DIVISION**

WAYNE STEWART,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 2:17CV9 HEA
	)	
TOMAS CABRERA, et al.,	)	
	)	
Defendants,	)	

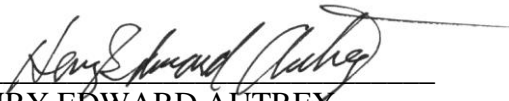
**MEMORANDUM AND ORDER**

This matter is before the Court on defendants William Jones and James Hurley’s motion to dismiss plaintiff’s official-capacity claims. Plaintiff sues defendants in their individual capacities only. Therefore, the motion is moot.

Accordingly,

**IT IS HEREBY ORDERED** that defendants’ motion to dismiss (Doc. 25) is **DENIED** as moot.

Dated this 17th day of August, 2017

  
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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE