

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

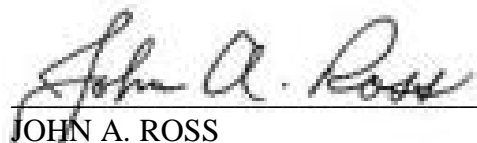
|                                |   |                      |
|--------------------------------|---|----------------------|
| HERMAN K. ALLEN,               | ) |                      |
|                                | ) |                      |
| Plaintiff,                     | ) |                      |
|                                | ) |                      |
| v.                             | ) | No. 4:11-CV-2224-JAR |
|                                | ) |                      |
| STATE OF MISSOURI d/b/a        | ) |                      |
| DEPARTMENT OF SOCIAL SERVICES, | ) |                      |
| DIVISION OF YOUTH, et al.,     | ) |                      |
|                                | ) |                      |
| Defendants.                    | ) |                      |

**MEMORANDUM AND ORDER**

This matter is before the Court on Plaintiff’s Motion for Leave to File Surreply in Opposition to Defendant’s Motion to Dismiss [ECF No. 28]. In light of this Court’s order of June 13, 2012 denying Defendant’s motion to dismiss, Plaintiff’s motion will be denied as moot.

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff’s Motion for Leave to File Surreply [28] is **DENIED**.

  
 \_\_\_\_\_  
 JOHN A. ROSS  
 UNITED STATES DISTRICT JUDGE

Dated the \_\_\_\_ day of June, 2012.