

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

ROXELLA LYONS,

Plaintiff,

vs.

DUSTON CLEMENTS, an individual  
residing in Jefferson County,

Defendant.

CV 21-44-H-JTJ

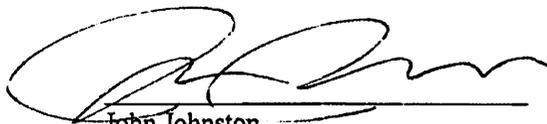
**ORDER**

The Court conducted a hearing on Defendant's Motion to Dismiss on September 1, 2021. For the reasons stated in open court,

**IT IS HEREBY ORDERED:**

Defendant's Motion to Dismiss (Doc. 4) is **DENIED** without prejudice to renewal. Defendant may re-submit the motion as a motion for summary judgment after the factual record is more fully developed.

DATED this 7th day of September, 2021.



John Johnston  
United States Magistrate Judge