UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

JUDGMENT IN A CIVIL CASE

NICOLE KAUFMANN, as Administratrix of the Estate of M. M. K-R., Deceased, and Individually,

Plaintiff,

٧.

CASE NUMBER: 1:13-cv-1141 (TJM/CFH)

THE KINGSTON HOSPITAL and UNITED STATES, formally known as Augustus Bentsi-Barnes,

Defendants.

Decision by Court. This action came to a hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Plaintiff's claims against the United States are **DISMISSED** without prejudice for lack of subject matter jurisdiction. It is further **ORDERED** that the remaining claims in this action – i.e. Plaintiff's claims against Defendant The Kingston Hospital – are **REMANDED** to state court.

All of the above pursuant to the order of the Honorable Judge Thomas J. McAvoy, dated the 14th day of March, 2014.

DATED: March 14, 2014

By: s/ Nicole Killius

Deputy Clerk

Clerk of Court