

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

LINDA R. SHARP,)
Plaintiff,)

v.)

TOWN OF KITTY HAWK, NORTH CAROLINA;))
GRIGGS & CO. HOMES, INC.; D. KEN GRIGGS;))
DEBORA GRIGGS; JAMES HARRISON;))
SCOTT NEWBERN HAULING, INC.;))
RAYMOND PATE;))
UNIVERSAL FOREST PRODUCTS, INC.;))
GRIGGS LUMBER AND PRODUCE CO., INC.;))
NORTHEASTERN MARINE CONSTRUCTION, INC.;))
TIMOTHY REESE; GREEN ACRES LAND))
DEVELOPMENT; CODY WELL DRILLING, INC.;))
WOODY WHITSON; PORTSMOUTH LUMBER))
COMPANY; FREEDOM INSULATION, INC.;))
CLIMATE MASTERS; TOMMY FORBES))
CONCRETE; BAKER ROOFING COMPANY;))
COSTAL GAS SERVICE, INC.; KITTY HAWK))
PAINTING, INC.; JOHN STOCKTON;))
GARY MCGEE; RICHARD REID;))
TRICIA HUFFMAN; CHESTER FORRESTER;))
MICHAEL GOODWIN; DONNA HEFFERNAN;))
JOE HEARD; DENNIS SPEIGHT;))
STEVE MICHAEL; PHILLIP HORNTAL;))
MATTHEW SPENCER;))
G R LITTLE INSURANCE COMPANY, INC.;))
FERGUSON ENTERPRISES, INC.;))
CENTRAL GARDEN; HEAT N GLO;))
WILBERT BROWN; JOHNS BROTHERS SECURITY;))
COASTAL DRYWALL; WILLIAM JOHN TIPTON;))
JOHN TALCOTT; THE NORTH CAROLINA))
LICENSING BOARD FOR GENERAL))
CONTRACTORS; AND THE NORTH CAROLINA))
BOARD OF EXAMINERS FOR ENGINEERS))
AND SURVEYORS,))

Defendants.

JUDGMENT

No. 2:10-CV-61-BR

Decision by Court.

This action came before Senior United States District Judge W. Earl Britt for consideration of defendants' motions to dismiss and plaintiff's motion to treat defendants' motions to dismiss as motions for summary judgment.

IT IS ORDERED, ADJUDGED AND DECREED that the defendants' motions to dismiss are **GRANTED IN PART**, and plaintiff's claim under 42 U.S.C. § 1983 is **DISMISSED**. The court declines to exercise supplemental jurisdiction over the state claims pursuant 28 U.S.C. § 1367(c)(3), and therefore, **DISMISSES** plaintiff's remaining state claims **WITHOUT PREJUDICE**. Plaintiff's motion is **DENIED**.

This judgment filed and entered on March 4, 2011, and served on:

Linda R. Sharp (via U.S. Mail)
Dan M. Hartzog (via CM/ECF Notice of Electronic Filing)
Dan McCord Hartzog, Jr. (via CM/ECF Notice of Electronic Filing)
Ronald G. Baker (via CM/ECF Notice of Electronic Filing)
C. Everett Thompson, II (via CM/ECF Notice of Electronic Filing)
Jennifer D. Maldonado (via CM/ECF Notice of Electronic Filing)
Raymond Pate (via US Mail)
Kelli Goss Hopkins (via CM/ECF Notice of Electronic Filing)
Phillip H. Hayes, Jr. (via CM/ECF Notice of Electronic Filing)
Jonathan E. Huddleston (via CM/ECF Notice of Electronic Filing)
Allen Coleman Smith (via CM/ECF Notice of Electronic Filing)
John I. Malone, Jr. (via CM/ECF Notice of Electronic Filing)
Christopher R. Kiger (via CM/ECF Notice of Electronic Filing)
Carson Carmichael, III (via CM/ECF Notice of Electronic Filing)

March 4, 2011

/s/ Dennis P. Iavarone
Clerk of Court