

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

AMBER MARIE WEST)
and CHASE ADAM SPRUILL,)

Plaintiffs,)

v.)

TYRRELL COUNTY; TYRRELL COUNTY)
SHERIFF'S DEPARTMENT; DARRYL)
LIVERMAN, Individually and in his capacity as)
Sheriff of Tyrrell County; A.K. SAWYER, II,)
Individually and in his official capacity as Deputy)
Sheriff in Tyrrell County; and, D. BAKER,)
Individually and in his official capacity as)
Deputy Sheriff in Tyrrell County,)

Defendants.)

JUDGMENT

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the motion to dismiss filed by defendants Tyrrell County and Tyrrell County Sheriff's Department and plaintiff's motion to remand.

IT IS ORDERED, ADJUDGED AND DECREED, in accordance with the court's orders entered June 7, 2011 and January 9, 2012, and for the reasons set forth more specifically therein, that the defendants' unopposed motion to dismiss is granted. Plaintiffs' claims against defendants Tyrrell County and Tyrrell County Sheriff's Department are dismissed. Further, where the plaintiffs' have amended their complaint to no longer state a federal cause of action, plaintiffs' motion to remand is granted and this case is remanded to the North Carolina General Court of Justice, Superior Court Division, Tyrrell County.

This Judgment Filed and Entered on January 10, 2012, and Copies To:

Kathryn P. Fagan (via CM/ECF Notice of Electronic Filing)
Christopher J. Geis (via CM/ECF Notice of Electronic Filing)
The Honorable Angie Sexton, Clerk of Tyrrell County Superior Court (via U.S. Mail)
PO Box 406, Columbia, NC 27925

January 10, 2012

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk