

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF NORTH CAROLINA
 NORTHERN DIVISION

TROY D. PETTY, and wife,)
 ANNAH A. PETTY,)
 Plaintiff,)
)
 v.)
)
 MARVIN LUMBER AND CEDAR COMPANY,)
 t/a MARVIN WINDOWS AND DOORS,)
 Defendant.)

JUDGMENT IN A CIVIL CASE
CASE NO. 2:13-CV-62-F

Decision by Court.

This action came before the Honorable James C. Fox, Senior United States District Judge, for ruling as follows:

IT IS ORDERED, ADJUDGED AND DECREED that pursuant to the court’s order dated 9/4/2014, Marvin’s Motion to Dismiss is **ALLOWED** and, Plaintiffs’ claims are **DISMISSED** without prejudice to Plaintiffs to file an amended complaint.

IT IS FURTHER ORDERED that the Defendant’s Motion to Dismiss Plaintiff’s First Amended Complaint is **ALLOWED**, and Plaintiffs’ claims are **DISMISSED** with prejudice.

This Judgment Filed and Entered on September 11, 2015, and Copies To:

- Kevin Alan Rust (via CM/ECF Notice of Electronic Filing)
- Norman W. Shearin, Jr. (via CM/ECF Notice of Electronic Filing)
- Michael Obermueller (via CM/ECF Notice of Electronic Filing)
- Wes J. Camden (via CM/ECF Notice of Electronic Filing)

DATE
 September 11, 2015

JULIE RICHARDS JOHNSTON, CLERK
/s/ Susan K. Edwards
 (By) Susan K. Edwards, Deputy Clerk