

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

Case No. 4:20-CV-00181-M

DANIEL W. JENKINS, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 CITY OF ROANOKE RAPIDS; )  
 ROANOKE RAPIDS POLICE )  
 DEPARTMENT; and )  
 VALERIE ASBELL, IN HER )  
 INDIVIDUAL CAPACITY, )  
 )  
 Defendants. )

ORDER

This matter comes before the Court on Plaintiff's unopposed Motion to Dismiss Defendant Charles "Chuck" Hasty ("Hasty"), in his official capacity [DE 31]. Pursuant to Fed. R. Civ. P. 41(a)(2), the motion is GRANTED. Accordingly, Plaintiff's claims against Hasty are dismissed with prejudice; the court directs the Clerk of the Court to remove Hasty's name from the caption of this case.

In light of this order, Hasty's Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) [DE 27] is DENIED as moot.

SO ORDERED this 16<sup>th</sup> day of February, 2021.

  
RICHARD E. MYERS II  
CHIEF UNITED STATES DISTRICT JUDGE