

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CHRISTOPHER BENJAMIN,)
)
 Plaintiff,)
)
 v.)
)
 CITY OF FAYETTEVILLE, DALE)
 IMAN, DOUG HEWITT, TERRIE)
 HUTAFF, GREG SCHAEFER, GERALD)
 DIETZEN, ERNEST LOVE, WILLIE)
 MCDONALD, STANLEY SADLER,)
 STEVEN BULLARD, and MAYOR)
 ANTHONY G. CHAVONNE,)
)
 Defendants.)

JUDGMENT

No. 5:09-CV-553-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court’s orders entered on April 15, 2010, August 5, 2010, and May 18, 2011, and for the reasons set forth more specifically therein that:

- (1) Plaintiff’s Title VII claims are dismissed in their entirety as to defendants Dale Iman, Doug Hewitt, Terrie Hutaff, Greg Schaefer, Gerald Dietzen, Ernest Love, Willie McDonald, Stanley Sadler, Steven Bullard, and Mayor Anthony G. Chavonne;
- (2) Defendants’ motion to dismiss filed May 14, 2010, is granted in part and denied in part, and plaintiff’s remaining claims against all defendants, other than the § 1983 claim against defendant Ernest Love alleging violations of the First and Fourteenth Amendments, are dismissed; and
- (3) Defendant Ernest Love’s motion for summary judgment on plaintiff’s § 1983 claim is granted.

Where all defendants have been dismissed from this action or have had summary judgment granted in their favor, judgment hereby enters against plaintiff, who shall have and recover nothing from this action.

This Judgment Filed and Entered on May 24, 2011, and Copies To:

Christopher Benjamin (via U.S. Mail) PO Box 393541, Greensboro, NC 27438

Brian Keith Leonard (via CM/ECF Notice of Electronic Filing)

James C. Thornton (via CM/ECF Notice of Electronic Filing)

Kathryn Stewart Lehman (via CM/ECF Notice of Electronic Filing)

May 24, 2011

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk