

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Mitchell Carter Rabil,)
)
)
 Plaintiff,)
)
 v.)
)
 Town of Smithfield,)
)
 Defendant.)

JUDGMENT

No. 5:11-CV-616-BR

Decision by Court.

This action came before Senior United States District Judge W. Earl Britt sua sponte.

IT IS ORDERED, ADJUDGED AND DECREED that plaintiff’s claim under 42 U.S.C. § 1983 is DISMISSED. This case is REMANDED to the General Court of Justice, Superior Court Division, Johnston County, North Carolina. The Clerk is directed to send a copy of this order to the Clerk of that court.

This judgment filed and entered on December 18, 2012, and served on:

- James E. Hairston, Jr. (via CM/ECF Notice of Electronic Filing)
- Jeremy Ryan Leonard (via CM/ECF Notice of Electronic Filing)
- Frank Marshall Wall (via CM/ECF Notice of Electronic Filing)
- Kari R. Johnson (via CM/ECF Notice of Electronic Filing)

December 18, 2012

/s/ Julie A. Richards,
Clerk of Court