

AO 450 (Rev. 5/85)

United States District Court
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

ALAN PITTS, SENECA NICHOLSON-PITTS)
and DERYL VON WILLIAMS,)

Plaintiffs,)

v.)

JUDGMENT
5:12-CV-343-D

JAMES D. O'GEARY, RAY GRIFFIN,)
FRANK FRAZIER, FAYE GILL,)
GARY O. BARTLETT, JOHN H. ZOLICOFFER,)
JR., NORTH CAROLINA GENERAL)
ASSEMBLY, STATE OF NORTH CAROLINA,)
CITY OF HENDERSON, VANCE COUNTY)
BOARD OF ELECTIONS, NORTH CAROLINA)
BOARD OF ELECTIONS, SARA M. COFFERY,)
GARRY DAEKE, MICHAEL C. INSCOE,)
D. MICHAEL RAINY, BRENDA G. PEACE-)
JENKINS, LONNIE DAVIS, JR., GEORGE)
M. DAYE, and JAMES KEARNEY,)

Defendants.)

Decision by the Court:

IT IS ORDERED AND ADJUDGED that the court GRANTS the Motions to Dismiss [D.E. 9, 28, 30]. The Complaint against Defendants Zollicoffer, O'Geary, Griffin, Frazier, Coffey, Daeke, Inscoe, Rainy, Peace-Jenkins, Daye, Kearney, Gill, and Vance County Board of Elections is DISMISSED without prejudice. Because Plaintiffs failed to serve Defendants Gary O. Bartlett, North Carolina General Assembly, North Carolina Board of Elections, State of North Carolina, City of Henderson, and Lonnie Davis, Jr. within 120 days of filing the Complaint [D.E. 35], the Court also DISMISSES without prejudice the Complaint against these defendants. Plaintiffs' remaining motion [D.E. 36] is DISMISSED.

**THE ABOVE JUDGMENT WAS ENTERED TODAY, DECEMBER 17, 2012 WITH
A COPY TO:**

Alan Pitts and Seneca Nicholson-Pitts, Pro Se (via USPS to 438 Cross Creek Road, Henderson, NC
27537)

Deryl Von Williams, Pro Se (via USPS to 317 S. Garnett Street, Henderson, NC 27536)

Adam S. Mitchell (via CM/ECF Electronic Notification)

John B. Bradburn (via CM/ECF Electronic Notification)

Kristen Yarbrough Riggs (via CM/ECF Electronic Notification)

December 17, 2012

Date

JULIE A. RICHARDS, Clerk

Eastern District of North Carolina

/s/ Debby Sawyer

(By) Deputy Clerk

Raleigh, North Carolina