

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:12-CV-430-BR

MONIFA A. GETHERS, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 WAKE COUNTY SHERIFF'S OFFICE, and )  
 SHERIFF DONNIE HARRISON, )  
 )  
 Defendants. )

ORDER

This matter is before the court on the 30 July 2012 Memorandum and Recommendation ("M&R") of Magistrate Judge James E. Gates recommending that defendant Wake County Sheriff's Office be dismissed because it is not an entity capable of being sued. Plaintiff has not filed objections to the M&R. The court ADOPTS the M&R as its own. Accordingly, the Wake County Sheriff's Office is DISMISSED, and this case shall proceed against the remaining defendant, Sheriff Donnie Harrison.

This 27 August 2012.

  
\_\_\_\_\_  
W. Earl Britt  
Senior U.S. District Judge