

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:12-CV-685-D

DWAYNE COFFER,)
)
 Plaintiff,)
)
 v.)
)
 WARREN COUNTY BOARD)
 OF EDUCATION,)
)
 Defendant.)

ORDER

On December 19, 2012, defendant filed a motion to dismiss count two for failure to state a claim upon which relief can be granted [D.E. 8]. On January 9, 2013, plaintiff responded in opposition [D.E. 10].

The court has considered the motion to dismiss under the governing legal standard. The motion to dismiss [D.E. 8] is DENIED.

SO ORDERED. This 11 day of February 2013.



JAMES C. DEVER III
Chief United States District Judge