

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

JESSE E. BARLEY, )  
 )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 )  
 LIEUTENANT GENERAL WILLIAM )  
 GARRETT Commanding General, U.S. )  
 Army Forces Command, and JOHN )  
 McHUGH Secretary of the U.S. Army, and )  
 their Duly Authorized Representatives and )  
 Successors in Office, in their Official )  
 Capacity, )  
 )  
 Defendants. )

**JUDGMENT**  
No. 5:13-CV-293-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the plaintiff's motions for temporary restraining order and preliminary injunction and defendants' motion to dismiss, or in the alternative for summary judgment.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's orders entered May 1, 2013 and June 19, 2013, and for the reasons set forth more specifically therein, that plaintiff's motion for temporary restraining order is denied, plaintiff's motion for preliminary injunction is denied, defendants' motion to dismiss is granted, and defendants' alternative motion for summary judgment is denied.

**This Judgment Filed and Entered on June 20, 2013, and Copies To:**

Mark L. Waple (via CM/ECF Notice of Electronic Filing)  
Neal Fowler (via CM/ECF Notice of Electronic Filing)

June 20, 2013

JULIE A. RICHARDS, CLERK  
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/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk