

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

HERBERT CLARK,)
)
 Plaintiff,)
)
 v.)
)
 PATRICK J. MURPHY,)
 Acting Secretary of the Army,)
)
 Defendant.)

JUDGMENT

No. 5:14-CV-565-FL

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court’s order entered June 2, 2016, and for the reasons set forth more specifically therein, that plaintiff’s motion to amend his claim is granted and, as a result, the court’s March 3, 2016 order is vacated. The court denies the defendant’s motion to dismiss for lack of subject matter jurisdiction. Further, the plaintiff’s motion for summary judgment is denied and defendant’s motion for summary judgment is granted. The court upholds defendant’s decision denying plaintiff’s request for correction of military records.

This Judgment Filed and Entered on June 2, 2016, and Copies To:

Kimberly A. Moore (via CM/ECF Notice of Electronic Filing)
Herbert Clark, III (via U.S. Mail) PO Box 71415, Fort Bragg, NC 28307

June 2, 2016

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