

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

BRIAN GEORGE DAY, )  
)  
Plaintiff, )

v. )

**JUDGMENT**

A.T. SANTANIELLO, (Raleigh PD )  
Officer) & spouse; ROY B. BIVERENT, )  
(Raleigh PD Officer) & spouse; K.B. )  
HINTON (Wake County Sheriff Deputy) & )  
spouse; SHAUN MIDDLEBROOK )  
(District Attorney) & spouse; JENNIFER )  
SIMMON (District Attorney) & spouse; )  
CASEY REGO (District Attorney) & )  
spouse; ERIC CRAIG CHASSE (Judge) )  
& spouse; ANNE SALISBURY (Judge) )  
& spouse; DANIEL NAGEL (Judge) )  
& spouse; JAMES E. HARDIN, JR. )  
(Judge) & spouse; JOHN H. CONNELL )  
(Clerk of Court, NC Court of Appeals) )  
& spouse; T. BIRD (Wake County Sheriff )  
Deputy & Bailiff) & spouse, )  
)  
Defendants. )

No. 5:15-CV-165-FL

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the Memorandum and Recommendation of the United States Magistrate Judge.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court’s order entered on November 19, 2015, that the court ADOPTS IN PART the findings and recommendations of the United States Magistrate Judge and for reasons stated more specifically therein, this action is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B).

**This Judgment Filed and Entered on November 19, 2015, and Copies To:**

Brian George Day (via U.S. Mail) 1001 Mersey Lane, Raleigh, NC 27615

November 19, 2015

JULIE RICHARDS JOHNSTON, CLERK

/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk