

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:15-CV-166-BO


REX LASASSO )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
FEDEX EXPRESS a/k/a FEDERAL )  
EXPRESS CORPORATION and FEDEX )  
CORPORATION, )  
 )  
Defendants. )

**ORDER**

This matter is before the Court on defendant FedEx Corporation's motion to dismiss pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. FedEx Corporation asserts that all actions complained of in plaintiff's complaint were taken by his employer, and that FedEx Corporation was not and never has been plaintiff's employer. Jackson Aff. ¶ 5. Plaintiff appears to have been employed by a separate and distinct corporate entity, and co-defendant in this action, Federal Express Corporation a/k/a FedEx Express. Eslami Aff. ¶¶ 7,9,10. Plaintiff has failed to respond to the instant motion.

Because it appears that FedEx Corporation is not a proper party to this suit, its motion to dismiss [DE 4] is GRANTED.

SO ORDERED, this 7<sup>th</sup> day of July, 2015.

  
TERRENCE W. BOYLE  
UNITED STATES DISTRICT JUDGE