

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

VIRGINIUS REECE PHIPPS,)
TRAVIS MITCHELL PHIPPS, and)
CHARLIE CAROLE PHIPPS,)
Plaintiff,)

v.)

BENJAMIN L. GRADY, BLAKE)
WALLACE, Individually and in his)
official capacity as the Sheriff)
of Duplin County, and DUPLIN)
COUNTY SHERIFF'S OFFICE,)
Defendants.)

JUDGMENT

No. 7:17-CV-78-H

Decision by Court.

This case came before the Honorable Malcolm J. Howard, Senior United States District Judge for consideration.

IT IS ORDERED, ADJUDGED AND DECREED the motion to dismiss of Sheriff Wallace and the Sheriff's Office is granted; the claim against defendant Grady is dismissed without prejudice; and defendant Grady's motion to dismiss or for judgment on the pleadings is moot; and this case is closed.

