UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

VIRGINIUS REECE PHIPPS,)	
TRAVIS MITCHELL PHIPPS, and)	
CHARLIE CAROLE PHIPPS,)	
Plaintiff,)	
)	JUDGMENT
v .)	
)	No. 7:17-CV-78-H
BENJAMIN L. GRADY, BLAKE)	
WALLACE, Individually and in his)	
official capacity as the Sheriff)	
of Duplin County, and DUPLIN)	
COUNTY SHERIFF'S OFFICE,)	
Defendants.)		

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.

This Judgment Filed and Entered on March 2, 2018, with service with service via US Mail and CM/ECF Notice of Electronic Filing on:

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via US Mail

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March 2, 2018 PETER A. MOORE, JR., CLERK

/s/ Lisa W. Lee

(By): Lisa W. Lee, Deputy Clerk