IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TAWANA F. SAMPSON,)	
Plaintiff,)	
V.) 1:16CV1069	9
GUILFORD COUNTY, et al.,)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

OSTEEN, JR., District Judge

This matter is before the court on the Motion to Dismiss
Plaintiff's Complaint (Doc. 5) filed by Defendants Guilford
County Sheriff's Department, B.J. Barnes, Daryl L. Lanier,
Michael A. Allred, Bradley E. Cheek, P. Summers, R. Beasley,
Jonathan Tufo, Carl Harper, and D.A. Murnane. Also before the
court is a Motion to Dismiss (Doc. 8) filed by Defendants
Guilford County, Marty Lawing, Jeff Phillips, Alan Branson, Kay
Cashion, Carolyn Coleman, Justin Conrad, J. Carlvena Foster,
Hank Henning, Alan Perdue, Ray Trapp, and John & Jane Doe 1-5.
Plaintiff Tawana F. Sampson has not responded to either motion.
For the reasons expressed herein, this court will grant both
motions to dismiss.

On April 25, 2016, Plaintiff Sampson filed a 20-page

Complaint in the Middle District or North Carolina against a

number of state government employees claiming she was

"wrongfully and brutally beaten by officers of the Guilford

County Sheriff Department . . . with such physical abuse rising

to the level of torture and rendering Ms. Sampson totally

disabled, all because of her race." (Case No. 1:16CV376,

Complaint (Doc. 1) ¶ 1.) The Complaint in that civil action

contained no other factual allegations. (See id.)

In an Order and Recommendation filed July 15, 2016,

Magistrate Judge Joi Elizabeth Peake found that the abovementioned Complaint should be dismissed without prejudice due,
in significant part, to insufficient factual allegations. (See

Case No. 1:16CV376, Order and Recommendation of United States

Magistrate Judge (Doc. 4) at 4-5.) Plaintiff did not file any
objections and this court adopted the Recommendation on

August 8, 2016, dismissing the action without prejudice so that

Plaintiff could add to her lacking factual allegations. (Case

No. 1:16CV376, Judgment (Doc. 6).)

On August 22, 2016, Plaintiff filed another Complaint in the Middle District of North Carolina, commencing the present action (Doc. 1). Upon this court's inspection, the present Complaint is the same Complaint that Plaintiff filed in Case No.

1:16CV376 on April 25, 2016. Plaintiff did not address any of the flaws that Magistrate Judge Peake identified in her July 15, 2016 Order and Recommendation. Specifically, Plaintiff did not supplement the inadequate factual allegations.

As such, this court will dismiss Plaintiff's present

Complaint for the same reasons expressed in Magistrate Judge

Peake's July 15, 2016 Order and Recommendation, this time with prejudice.

IT IS THEREFORE ORDERED that the motions to dismiss (Docs. 5, 8) are GRANTED and this case is DISMISSED WITH PREJUDICE.

A judgment consistent with this Memorandum Opinion and Order will be entered contemporaneously herewith.

This the 4th day of August, 2017.

United States District Judge