

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:17-cv-00351-MOC-DLH

TAMMY MCABEE)
CHERYL CELESTE KENYON,)
)
Plaintiffs,)
)
Vs.)
)
FNU JACKSON)
NORTH CAROLINA DEPARTMENT OF)
PUBLIC SAFETY)
JIMMY LEE BRANCH)
TABITHA BATES,)
)
Defendants.)

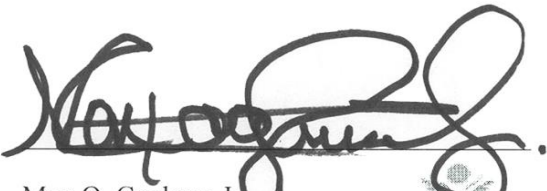
ORDER

THIS MATTER is before the court on defendant North Carolina Department of Public Safety’s (“NCDPS”) Motion to Dismiss. In their Response (#17), plaintiffs concede that Defendant NCDPS is entitled to the relief it seeks. Having considered NCDPS’s motion and reviewed the pleadings, the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendant North Carolina Department of Public Safety’s Motion to Dismiss (#12) is **GRANTED**, and the claims asserted against such defendant in the Complaint are **DISMISSED** for the reasons provided in the NCDPS’s Memorandum of Law in Support (#13). Defendant North Carolina Department of Public Safety is **TERMINATED** as a party defendant to this action.

Signed: April 23, 2018



Max O. Cogburn Jr.
United States District Judge