

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:11cv417**

<b>WILLIAM HENRY MORRIS,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>MATTOS MICHEALLE, Police Officer,</b>	)	
<b>Charlotte-Mecklenburg Police Depart-</b>	)	
<b>ment;</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

**ORDER**

**THIS MATTER** is before the Court upon Plaintiff’s civil rights Complaint filed pursuant to 42 U.S.C. § 1983. (Doc. No. 1).

Plaintiff alleges that on October 25, 2010, Defendant arrested him and subjected him to excessive force, exposed his genitalia during a search that was conducted in public, and used a racial epithet while speaking to him. (Id. at 4). Plaintiff alleges that as a result of the incident, he suffered a chipped tooth, pain and suffering, and other harm; and he seeks, inter alia, monetary compensation for his alleged injuries. (Id.)

Plaintiff’s allegations are sufficient to withstand the Court’s initial frivolity review. Therefore, Defendant will be directed to file an Answer to Plaintiff’s Complaint.

**IT IS, THEREFORE, ORDERED** that :

- (1) The Clerk shall prepare process for Defendant and deliver it to the U.S. Marshal;
- (2) The U.S. Marshal shall serve process upon Defendant; and
- (3) Defendant shall file an Answer in accordance with the Federal Rules of Civil Procedure.

Signed: December 15, 2011



Robert J. Conrad, Jr.  
Chief United States District Judge

