

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**BRENDA ROBINETTE,
Plaintiff,**

v.

**COLUMBUS POLICE
DEPARTMENT, et al.,
Defendants.**

**Case No. 2:09-cv-629
JUDGE GREGORY L. FROST
Magistrate Judge Terence P. Kemp**

OPINION AND ORDER

This matter is before the Court on the Motion to Dismiss by Defendant Grandview Heights Division of Police. (Doc. # 23.) That motion is unopposed.

On January 25, 2010, this Court granted Defendant Columbus Police Department's motion to dismiss the claims filed against it. In that Opinion and Order, this Court concluded that Plaintiff failed to allege any facts that would support a claim against either the City of Columbus or the Grandview Heights Police Department that would be actionable under 42 U.S.C. § 1983.

Here, Plaintiff does not allege that the execution or custom of the City of Grandview Heights or Columbus caused her injuries. Therefore, even when construing Plaintiff's Amended Complaint liberally and accepting all of the factual assertions as true, the Amended Complaint fails to state a claim to relief that is plausible on its face.

(Doc. # 20 at 4.) The claims filed against the Columbus Police Department and the Grandview Heights Police Department are identical. The Court hereby incorporates in its entirety its Opinion and Order granting the Columbus Police Department's motion to dismiss, and, for the same reasons set forth in it **GRANTS** the Motion to Dismiss by Defendant Grandview Heights

Division of Police. (Doc. # 23.) The Clerk is **DIRECTED** to **ENTER JUDGMENT** in accordance with this Opinion and Order.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE