

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLANDRONALD SATISH EMRIT, et al.¹

v.

CA 14-106 ML

GOVERNOR LINCOLN D. CHAFEE,
MAYOR ANGEL TAVERAS, and
PROVIDENCE POLICE DEPARTMENTMEMORANDUM AND ORDER

Before the Court are the Motions to Dismiss filed by Defendant Providence Police Department and Defendant Governor Chafee pursuant to Fed. R. Civ. P. (12)(b)(6).

In considering such motions, the Court must take as true all well-pleaded facts to determine whether Plaintiff has made out a claim for which relief may be granted. This Court finds that Plaintiff has failed to carry his burden.

As the City Solicitor points out, the Providence Police Department is not a legal entity and, therefore, it cannot be subject to suit. With regard to the Plaintiff's suit against Governor Chafee, the Amended Complaint contains no factual allegations that would support any viable claim as to the Governor. Therefore, for these reasons, and those set forth in the Motion papers, the Motions to Dismiss (Docket # 32 and #33) are GRANTED.

SO ORDERED:

/s/ Mary M. LisiMary M. Lisi
United States District Judge
April 18, 2014

¹Although the Amended Complaint (Docket #21) caption includes a reference to Plaintiff, "et al.", it appears that only Mr. Emrit has brought this action.