

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

RANDY HAROLD WRIGHT and)
MAE ALISE WRIGHT)
)
v.)
)
BRAD DEPEW, *ET AL.*)

NO. 2:07-CV-166

MEMORANDUM OPINION AND ORDER

On June 25, 2010, this Court gave notice to the parties that it intended to enter summary judgment *sua sponte* on Mrs. Wright’s claims of loss of consortium, intentional infliction of emotional distress, negligent infliction of emotional distress, and financial loss as a result of plaintiffs’ treatment. *See Yashon v. Gregory*, 737 F.2d 547, 552 (6th Cir. 1984). The Court set a deadline of July 6, 2010, for the parties to file any briefs regarding this issue. The Court also stated that if no briefs were filed by this date, the Court would enter summary judgment on these derivative state law claims in favor of the defendants. No briefs were filed opposing the entry of summary judgment on those claims.

As stated by this Court previously, all of Mrs. Wright’s claims are dependent upon Mr. Wright’s claims, and the Court has dismissed all of his claims. In addition, this Court gleans from the record that Mrs. Wright was not even present

at the incident in question. As such, this Court FINDS that there is no genuine issue of material fact as to Mrs. Wright's state law claims. Thus, it is hereby **ORDERED** that they are **DISMISSED WITH PREJUDICE**.

SO ORDERED.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE