IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

Civil Action No. 3:11cv154-HEH

NOTICE OF APPEAL

Notice is hereby given that Rebecca Smith and Terri Jones,* defendants in the above-styled case (No. 11-cv-154), hereby appeal to the United States Court of Appeals for the Fourth Circuit from the order partially denying their motion to dismiss based on qualified immunity, entered in this action on the 30th day of August, 2011.

DATED this 28th day of October, 2011.

Respectfully submitted,

NEIL H. MACBRIDE UNITED STATES ATTORNEY

By: /s/
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^{*} Pursuant to the Stipulated Protective Order entered in this case on May 27,2011, this Notice employs pseudonyms for Defendants Smith and Jones. A copy of Plaintiff's First Amended Complaint disclosing Smith and Jones's true identities has been filed under seal with the Court.

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CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of October, 2011, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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