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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

LEON POLK and MALCOLM COOK,	)	
Plaintiffs,	)	Civil Action No. 3:16CV00017
v.	)	**ORDER**
ANDREW HOLMES, JOHN DOES 1-3, and ALBEMARLE COUNTY,	)	By: Hon. Glen E. Conrad Chief United States District Judge
Defendants.	)	

For the reasons stated in the accompanying memorandum opinion, it is hereby

ORDERED

as follows:

1. The motion to dismiss filed by Andrew Holmes is **GRANTED IN PART AND DENIED IN PART**, and the plaintiffs' claims under the Fourth Amendment are **DISMISSED WITHOUT PREJUDICE**; and

2. The motion to dismiss made in open court by Albemarle County is **DENIED**.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to all counsel of record.

DATED: This 3rd day of November, 2016.

Chief United States District Judge

Polk et al v. Holmes

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