

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

MERLE T. RUTLEDGE, JR.,)	
)	4:10CV00035
Plaintiff)	
)	ORDER
v.)	
)	
TOWN OF CHATHAM, ET AL.)	By: Jackson L. Kiser
)	Senior United States District Judge
Defendants)	

Before me are Defendant Officer Nathan Roach’s Motion to Dismiss and Plaintiff Merle Rutledge, Jr.’s Motion to Amend. Mot. to Dismiss, Sept. 29, 2010, ECF No. 33; Mot. to Amend, Oct. 27, 2010, ECF No. 52. A Roseboro notice was mailed to the pro se Plaintiff on September 30th, 2010. Roseboro Notice, Sept. 30, 2010, ECF No. 39. The Court conducted a hearing on these two motions on November 16th, 2010. For the reasons explained in the Memorandum Opinion that accompanies this Order, the Plaintiff’s Motion to Amend is **DENIED** and the Defendant’s Motion to Dismiss is **GRANTED**. The dismissal is **WITH PREJUDICE**.

Entered this 18th day of November, 2010.

s/Jackson L. Kiser

Senior United States District Judge