

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

CHARLES MICHAEL SHELTON,)
)
Plaintiff,)
)
v.)
)
DANVILLE POLICE DEPT., OFFICER)
ROBBIE PAYNE, S. OAMAR, and)
SPEED WAY MART,)
)
Defendants.)

Case No.: 4:11-cv-00045

ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

Before me is Defendant Danville Police Dept.’s (“DPD”) and Defendant Officer Robbie Payne’s (“Payne”) Motion to Dismiss (“the Motion”) [ECF No. 23]. For the reasons stated in the accompanying Memorandum Opinion, I will **GRANT** the Motion and **DISMISS** DPD and Payne from this action. Pursuant to Rule 12, however, dismissing the government entities divests this Court of jurisdiction over the remaining parties. Therefore, I will also **DISMISS** Defendants Qamar and Speed Way Mart, and **DISMISS** this action in its entirety. All other pending motions are likewise **DISMISSED**.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to all counsel of record and to all *pro se* parties.

Entered this 8th day of May, 2012.

s/Jackson L. Kiser
SENIOR UNITED STATES DISTRICT JUDGE