CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA
FILED

MAR 15 2013

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

CECIL DELEE ADDISON a/k/a CEZIL DELEE ADDISON,	)	**Civil Action No.: 7:12-cv-314**
Plaintiff,	)	**ORDER**
v.	)	**Hon. James C. Turk**
	)	**Senior United States District Judge**
VOLVO TRUCKS NORTH AMERICA and IVAN MITCHELL,	)	
Defendants.	)	

This matter is before the Court on Defendant Ivan Mitchell's Motion to Dismiss, ECF No. 6, and Addison's Motion to Deny Dismissal. ECF No. 11. It is hereby

ADJUDGED AND ORDERED

that the Motion to Dismiss (ECF No. 6) is **GRANTED** and Addison's claims against Mitchell are **DISMISSED WITH PREJUDICE**. The Motion to Deny Dismissal (ECF No. 11) is **DENIED**. Claims against Volvo Trucks are **DISMISSED WITHOUT PREJUDICE** because it was not served within the requirements of Rule 4. The action is stricken from the active docket of the Court.

The Clerk of Court is directed to send copies of this Order and accompanying Memorandum Opinion to counsel of record for Ivan Mitchell and to the *pro se* Plaintiff.

Addison v. Volvo Trucks North America et al Doc. 17

ENTER: This 15th day of March, 2013.

James C. Turk

Hon. James C. Turk
Senior United States District Judge

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