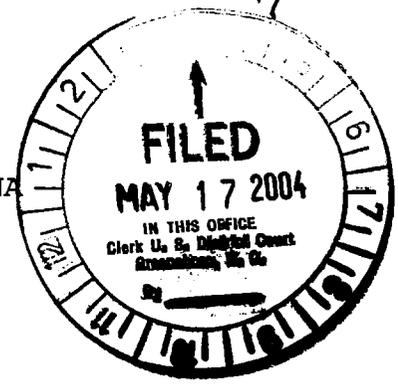


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D/LS

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA



MICHAEL KEVIN BOLTINGHOUSE,)
)
Plaintiff,)
)
v.)
)
STEPHEN P. WARNER; ELLA L.)
WASHINGTON; and Commissioner)
of the Internal Revenue)
Service,)
)
Defendants.)

CIVIL NO. 1:03CV01159

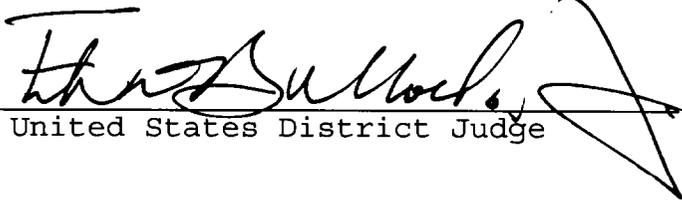
O R D E R

BULLOCK, District Judge

For the reasons set forth in the memorandum opinion filed contemporaneously herewith,

IT IS ORDERED that Plaintiff's motion for summary judgment [Doc. #7] is **DENIED**; and

IT IS FURTHER ORDERED that Defendants' motion to dismiss [Doc. #5] is **GRANTED**, and this action is **DISMISSED with prejudice**. Costs are **taxed** against the Plaintiff.


United States District Judge

May 17, 2004