

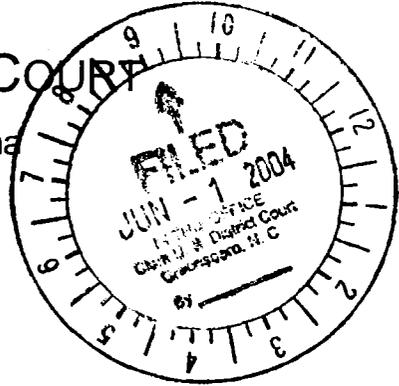
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UNITED STATES DISTRICT COURT

Middle District of North Carolina



CAROLYN DAVIS,)
)
Plaintiff,)
)
v.)
)
DURHAM MENTAL HEALTH)
DEVELOPMENTAL DISABILITIES)
SUBSTANCE ABUSE AREA)
AUTHORITY, d.b.a. and a.k.a.)
The Durham Mental Health)
Center, et al.,)
)
Defendants.)

#1:03CV273

O-R-D-E-R

On DATE, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and notice was served on the parties in this action and a copy was given to the court.

Within the time limitation set forth in the statute, Plaintiff objected to the Recommendation.

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Defendants' motion to dismiss be **GRANTED IN PART** and **DENIED IN PART**. All claims as to all Defendants except for the Title VII, ADEA, and state whistleblower claims against the Defendant Durham Center will be dismissed with prejudice. Plaintiff will be allowed to amend her Complaint to allege the state whistleblower, First Amendment, and § 1981 claims against Holliman in her individual capacity.


United States District Judge

~~June~~
April 1, 2004