

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

JO ANN DEWBERRY,
Plaintiff,

vs.

Case No. 07-1057-JTM

WICHITA POLICE DEPARTMENT,
Defendant.

MEMORANDUM AND ORDER

This matter is presently before the court on defendant's motion to dismiss the plaintiff's complaint (Dkt. No. 1). For the reasons set forth below, defendant's motion is granted and plaintiff's case is dismissed.

On July 19, 2007, defendant filed a motion to dismiss plaintiff's complaint pursuant to Federal Rules of Civil Procedure 12(b) (2), (4), (5), (6) (Dkt. No. 6). Under D. Kan. Rule 7.4, if a respondent fails to file a response within the time required by Rule 6.1(d), the motion will be considered and decided as an uncontested motion, and ordinarily will be granted without further notice. Plaintiff failed to file a response to defendant's motion. For this reason and for good cause shown, the court grants the defendant's motion to dismiss.

IT IS ACCORDINGLY ORDERED this 6th day of November, 2007 that the defendant's motion to dismiss (Dkt. No. 6) is granted.

s/ J. Thomas Marten
J. THOMAS MARTEN, JUDGE