

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

BY
REPORTER
LANCE S. WILSON
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FILED

RICHARD W. LEWIS, PhD.,)
)
)
VS.) CV-N-99-0386-ECR-RAM
)
) MINUTES OF THE COURT
)
ELIZABETH RICHITT, PhD, ET AL.)
)
) DATE: July 12, 2001
)
)
)

PRESENT: EDWARD C. REED, JR. U.S. DISTRICT JUDGE
DEPUTY CLERK: Oma L. Rose REPORTER: NONE APPEARING
COUNSEL FOR PLAINTIFF (S): NONE APPEARING
COUNSEL FOR DEFENDANT (S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

On May 1, 2001, defendant the State of Nevada filed a motion to dismiss (#111) on the basis that the State is not a person for purposes of 42 U.S.C. § 1983, Eleventh Amendment immunity bars the suit against the State, and the State did not waive its sovereign immunity as to Richard W. Lewis's ("plaintiff") claim.

On June 8, 2001, plaintiff filed a response, indicating his agreement that the State is not a person for purposes of section 1983. On June 13, 2001, the State of Nevada filed a reply, indicating that based on that agreement, it should be dismissed, with prejudice.

IT IS THEREFORE HEREBY ORDERED THAT, the motion to dismiss (#111) is GRANTED. The State of Nevada is dismissed, with prejudice, from this action.

LANCE S. WILSON, CLERK

By: Oma L. Rose
Deputy Clerk

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