

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

STEVEN ENRIQUE MATTA, II,

Plaintiff,

v.

**GOVERNMENT OF THE VIRGIN ISLANDS,
USTON CORNELIUS, DONNELL SAMUEL,
SAMUEL ABRAHAM, NYIEM FRANCE,
ANTHONY HECTOR and EMANUEL
TURNER,**

Defendants.

Civil Action No. 2011-0091

Attorneys:

Kye Walker, Esq.,

St. Croix, U.S.V.I.

For Plaintiff

Erika Marie Scott, Esq.,

St. Croix, U.S.V.I.

For Defendants

ORDER

UPON CONSIDERATION of Defendant Samuel Abraham's Motion to Dismiss (Dkt. No. 106), Plaintiff's Opposition thereto (Dkt. No. 127), the entire record herein, and for the reasons stated in the accompanying Memorandum Opinion, filed contemporaneously herewith, it is hereby

ORDERED that Defendant Samuel Abraham's Motion to Dismiss is **GRANTED IN PART AND DENIED IN PART**; and it is further

ORDERED that Defendant Samuel Abraham's motion to dismiss pursuant to Rule 12(b)(5) is **GRANTED**; and it is further

ORDERED that all claims against Defendant Samuel Abraham in his individual capacity are **DISMISSED WITHOUT PREJUDICE**; and it is further

ORDERED that Defendant Samuel Abraham's motion to dismiss with prejudice is **DEINED**.

SO ORDERED.

Date: January 8, 2016

_____/s/_____
WILMA A. LEWIS
Chief Judge