

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

MOISE MAMOUZETTE,

Plaintiff,

v.

Civil Action No. 13-0117

MARC A. JEROME, Individually and in his official capacity as the Territorial Medical Director; RONALD ANDERS, Individually and in his official capacity as Chief of Obstetrics and Gynecology at Governor Juan F. Luis Hospital; DARICE PLASKETT, Individually and in her official capacity as the Commissioner of the Department of Health; THE VIRGIN ISLANDS BOARD OF MEDICAL EXAMINERS; THE GOVERNMENT OF THE VIRGIN ISLANDS; and DOES 1-5,

Defendants.

Attorneys:

Atiim Dia Abraham, Esq.

Yohana M. Manning, Esq.

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

For Plaintiff

Julie Anne Beberman, Esq.,

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

Joss N. Springette, Esq.,

St Thomas, U.S.V.I.

For Defendants

ORDER

THIS MATTER comes before the Court on Magistrate Judge Ruth Miller’s August 7, 2023 and August 9, 2023 Reports and Recommendations (Dkt. Nos. 213, 214). For the reasons stated in the accompanying Memorandum Opinion, filed contemporaneously herewith, it is hereby

ORDERED that Magistrate Judge Miller's August 7, 2023 Report and Recommendation (Dkt. No. 213) is **ADOPTED**; and it is further

ORDERED that the time for Plaintiff to serve the Governor of the Virgin Islands is extended *nunc pro tunc* to November 14, 2022; and it is further

ORDERED that the “Motion to Dismiss” (Dkt. No. 173) filed by Government of The Virgin Islands (“Government”), the Virgin Islands Board of Medical Examiners (“BME”), and Darice Plaskett (“Plaskett”) in her official capacity as the Commissioner of the Department of Health (“DOH”) is **DENIED**; and it is further

ORDERED that the “Motion to Dismiss” (Dkt. No. 180) filed by Marc A. Jerome (“Jerome”) and Ronald Anders (“Anders”) in their official capacities is **DENIED**; and it is further

ORDERED that the “Motion to Dismiss” (Dkt. No. 198) filed by the Government, BME, and Plaskett, Jerome, and Anders in their official capacities is **DENIED**; and it is further

ORDERED that Magistrate Judge Miller’s August 9, 2023 Report and Recommendation (Dkt. No. 214) is **ADOPTED**; and it is further

ORDERED that the “Motion to Dismiss” (Dkt. No. 207) filed by Defendant Darice Plaskett in her individual capacity is **GRANTED**; and it is further

ORDERED that the action against Defendant Darice Plaskett in her individual capacity is **DISMISSED**.

SO ORDERED.

Date: September 12, 2023

_____/s/_____
WILMA A. LEWIS
District Judge