

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

JUANITA REED, <i>et al.</i> ,	)	
	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 03-1085 (RMC)
	)	
DISTRICT OF COLUMBIA, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**ORDER**

For the reasons stated in the Memorandum Opinion filed simultaneously with this Order, it is hereby

**ORDERED** that Defendants' motion for partial summary judgment [Dkt. #40] is **GRANTED in part and DENIED in part**; and it is

**FURTHER ORDERED** that the following claims set forth in the Amended Complaint are **DISMISSED**: the Fifth and Fourteenth Amendment claims (set forth as part of Count I); the claim regarding an unconstitutional custom, practice, or policy related to the use of force (Count II); the claim regarding the failure to properly hire, train, and supervise (Count VII). The claims remaining are (1) a section 1983 claim against Officer Fitch, alleging excessive use of force in violation of the Fourth Amendment (Count I); (2) negligence (Count V); (3) assault and battery (Count VI); and (4) negligent infliction of emotional distress (Count VIII).

**SO ORDERED.**

Date: February 23, 2007

\_\_\_\_\_/s/  
ROSEMARY M. COLLYER  
United States District Judge