

SEP 21 2012

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

COUNTY OF BUNCOMBE

12 CVS 3029


THE INSTITUTE FOR SOUTHERN  
STUDIES, INC. d/b/a CAROLINA  
PUBLIC PRESS; GANNETT PACIFIC  
CORPORATION d/b/a ASHEVILLE  
CITIZEN-TIMES; GREEN LINE MEDIA,  
INC. d/b/a MOUNTAIN XPRESS;  
WESTERN NORTH CAROLINA PUBLIC  
RADIO, INC. d/b/a WCQS; and SINCLAIR  
BROADCAST GROUP, INC. d/b/a  
WLOS-TV,

Plaintiffs,

v.

CITY OF ASHEVILLE and BUNCOMBE  
COUNTY DISTRICT ATTORNEY'S  
OFFICE,

Defendants.

2012 SEP 13 PM 3:00  
BUNCOMBE COUNTY C.S.C.  
BY 

FILED

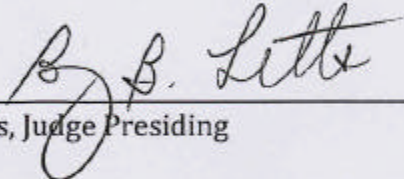
**ORDER GRANTING BUNCOMBE COUNTY DISTRICT  
ATTORNEY'S OFFICE MOTION TO DISMISS**

**THIS CAUSE** came on to be heard before the undersigned Superior Court Judge presiding upon the Motion to Dismiss of the named Defendant "Buncombe County District Attorney's Office." Said Motion was filed August 24, 2012, pursuant to Rule 12(b)(2), Rule 12(b)(4), Rule 12(b)(5), Rule 12(b)(7); Rule 9, Rule 17 of the North Carolina Rules of Civil Procedure to dismiss said matter. The Court having considered the arguments of counsel presented to the Court on September 4, 2012, as well as the pleadings, affidavits, and law presented by counsel for all parties, and it appears to the Court that the Motion to Dismiss should be allowed.

The Court, in its discretion, denies the Motion made on the day of said hearing by Plaintiffs to amend their pleadings.

**IT IS NOW THEREFORE ORDERED** that the Complaint is hereby dismissed as to the named Defendant, "Buncombe County District Attorney's Office" since there is no such entity.

This the 13<sup>th</sup> day of September, 2012.

  
Bradley B. Letts, Judge Presiding