

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Newport News Division**

**KIRBY JOHNSON,**

**Plaintiff,**

v.

**CIVIL ACTION NO.: 4:09cv78**

**CITY OF HAMPTON, et al.,**

**Defendants.**

**CITY DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

COMES NOW, the City Defendants, the City of Hampton and Hampton Police Division Chief, Charles R. Jordan, Jr., by counsel, and files this Motion for Summary Judgment pursuant to Rule 56 of the Federal Rules of Civil Procedure requesting that this honorable court enter an Order awarding judgment to them based upon the absence of a genuine issue of material fact and that these Defendants are entitled to judgment as a matter of law for the reasons set forth in the accompanying Brief in Support.

**CITY OF HAMPTON and  
CHARLES R. JORDAN, JR.**

By: \_\_\_\_\_ /s/  
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Virginia State Bar No. 24609  
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