

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**SHYJUAN CLAYTON, INDIVIDUALLY, AND  
ON BEHALF OF ALL HEIRS-AT-LAW AND  
WRONGFUL DEATH BENEFICIARIES OF  
DOMINIQUE CLAYTON, DECEASED, AND  
THE ESTATE OF DOMINIQUE CLAYTON,  
DECEASED**

**PLAINTIFF**

**v.**

**CIVIL ACTION NO. 3:21-CV-00174-GHD-RP**

**CITY OF OXFORD, MISSISSIPPI,  
POLICE CHIEF JEFF MCCUTCHEEN, IN  
HIS INDIVIDUAL AND OFFICIAL CAPACITIES, AND  
FORMER POLICE OFFICER MATTHEW KINNE, IN  
HIS INDIVIDUAL AND OFFICIAL CAPACITIES, AND  
JOHN AND JANE DOES 1-10**

**DEFENDANTS**

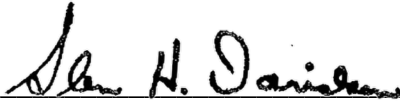
**ORDER GRANTING DEFENDANTS CITY OF OXFORD, MISSISSIPPI,  
AND POLICE CHIEF JEFF MCCUTCHEEN'S MOTION TO DISMISS**

Pursuant to an Opinion issued this day and an Order on Damages as to Defendant

Matthew Kinne [64], it is hereby ORDERED that:

- (1) Defendants City of Oxford, Mississippi, and Police Chief Jeff McCutchen's Motion to Dismiss [28] is GRANTED;
- (2) the Plaintiffs' 42 U.S.C. § 1983 claim against Defendant City of Oxford, Mississippi, alleging inadequacies regarding the hiring of Defendant Kinne is DISMISSED WITHOUT PREJUDICE;
- (3) all of the Plaintiffs' remaining claims against Defendant City of Oxford, Mississippi, are DISMISSED WITH PREJUDICE;
- (4) the claims against Defendant Jeff McCutchen are DISMISSED WITH PREJUDICE;  
and
- (5) this case is CLOSED.

SO ORDERED, this the 31st day of May, 2022.



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SENIOR U.S. DISTRICT JUDGE