

IN THE SUPERIOR COURT OF THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

ETTA BAVILLA,)
)
Plaintiff,)
)
vs.)
)
STATE OF ALASKA, Department of)
Corrections,)
)
Defendant.)

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Law Project For
Psychiatric Rights

Case No. 3AN-04-5802 CI

ORDER GRANTING STATE'S MOTION TO DISMISS

IT IS HEREBY ORDERED that defendant State of Alaska, Department of Corrections' motion to dismiss is GRANTED. The State of Alaska is not a "person" under 42 U.S.C. §1983 so plaintiff has failed to state a claim upon which relief can be granted.

Dated this 23rd day of July, 2004, at Anchorage, Alaska.

By: [Signature]
Judge of Superior Court

I certify that on 7/26/04 a copy of the above was mailed to each of the following at their addresses of record: J. Gottstein
J. Badier

[Signature]
Administrative Assistant

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