

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Dreama Sullivan,)	Civil Action No.: 8:14-4815-BHH
)	
)	
Plaintiff,)	
)	
v.)	
)	
)	<u>OPINION AND ORDER</u>
Harrah's Operating Company, Inc.,)	
OWLE Construction, Inc., and)	
Mill End Enterprises, Inc., d/b/a Carpet)	
One & Home)	
)	
Defendants.)	
_____)	

This matter is before the Court on Defendant Harrah’s Operating Company, Inc.’s (“Harrah’s”) motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(1), 12(b)(6) and 12(b)(7). (ECF No. 28.) Plaintiff Dreama Sullivan (“Plaintiff”) is seeking monetary damages for injuries she suffered from a fall while at Harrah’s Cherokee Casino Resort. Harrah’s moves to dismiss because of Plaintiff’s failure to exhaust Tribal Court remedies, sovereign immunity, and failure to state a claim. Plaintiff did not file a response in opposition despite additional time to do so.

CONCLUSION

Based on the foregoing, the motion to dismiss (ECF No. 28) is GRANTED without opposition. Plaintiff’s action is hereby dismissed *without prejudice* for failure to exhaust Tribal Court remedies.

IT IS SO ORDERED.

s/Bruce Howe Hendricks _____
United States District Judge

December 7, 2016
Greenville, South Carolina