

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

GEORGE A. SHORT,	:		
	:		
Plaintiff,	:	Civil Action No.:	05-1034 (RMU)
	:		
v.	:	Document No.:	8
	:		
MICHAEL CHERTOFF,	:		
In his official capacity as Secretary of the	:		
U.S. Department of Homeland Security,	:		
	:		
Defendant.	:		

ORDER

**GRANTING IN PART AND DENYING IN PART
THE DEFENDANT'S MOTION FOR PARTIAL DISMISSAL**

For the reasons stated in this court's Memorandum Opinion separately and contemporaneously issued this 26th day of November, 2007, it is hereby

ORDERED that the defendant's motion for partial dismissal is **GRANTED** in **PART** and **DENIED** in **PART**. Count 4 of the plaintiff's complaint is **DISMISSED**.

SO ORDERED.

RICARDO M. URBINA
United States District Judge