

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

**In Re SLEP-TONE ENTERTAINMENT CORP.
consolidated cases,**

CASE NO. 5:11-cv-32/RS-CJK

ORDER

Before me are Defendant Robert L. Paynter's Motion to Dismiss, filed *pro se*, (Doc. 132) and Plaintiff's Response in Opposition (Doc. 142).

Granting a motion to dismiss is appropriate if it is clear that no relief could be granted under any set of facts that could be proven consistent with the allegations of the complaint. *Hishon v. King & Spalding*, 467 U.S. 69, 73, 104 S. Ct. 2229, 2232 (1984). In making this determination, the court must accept all factual allegations in the complaint as true and in the light most favorable to Plaintiff. *Christopher v. Harbury*, 536 U.S. 403, 406, 122 S. Ct. 2179, 2182 (2003).

Plaintiff has met its burden in alleging facts which state a claim for relief that is plausible. For this reason, the Motion is **DENIED**.

ORDERED on April 30, 2012.

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE