

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

KAFI ROACH,
Plaintiff,

No. 3:18-cv-1108 (SRU)

v.

BRUCE DONNET, et al.,
Defendants.

RULING ON MOTIONS TO DISMISS

Kafi Roach initiated this action in July 2018 against Bruce Donnet, Michael McDonagh, and the Coventry Police Department (“Coventry PD”) (together, “the defendants”). *See* Compl., Doc. No. 1. Roach alleges in her complaint that McDonagh, a member of the Coventry Police Department, and McDonagh’s neighbor, Donnet, harassed her by conducting a background check on her and submitting a complaint to the Coventry Police Department. *See* Compl., Doc. No. 1 at 6. Further, Roach alleges that when she complained to the Coventry Police Department about McDonagh and Donnet’s behavior, she was subjected to intensified harassment, including from the police department. *Id.*

McDonagh and Coventry PD filed a Motion to Dismiss on February 1, 2019. *See* Mot. to Dismiss., Doc. No. 17. Donnet filed a Motion to Dismiss on March 1, 2019. *See* Donnet Mot. to Dismiss., Doc. No. 21. Both motions argue that Roach’s claims are barred by the statute of limitations, and, further, that she failed to state a claim.¹ *See* Mots. to Dismiss., Doc. Nos. 17, 21. Roach failed to timely respond to either motion, and on July 8, 2019, I ordered her to respond by

¹ The defendants also argue that Roach’s claims are barred by res judicata because an earlier case with similar allegations was dismissed by Judge Meyer in 2016. *See* Mots. to Dismiss., Doc. Nos. 17, 21; *see also* *Roach v. Donnet, et al.*, 16-cv-1104 (JAM). Because Roach’s claims in the instant case are barred by the statute of limitations, I need not address that argument.

August 16, 2019. *See* Order, Doc. No. 24. Roach has again failed to respond to the defendants' motions and McDonagh and Coventry PD have renewed their motion to dismiss. *See* Doc. No. 26. Because Roach has failed to respond, and because her claims are barred by the applicable statutes of limitations, the defendants' Motions to Dismiss (doc. nos. 17, 21, 26) are **granted**. Further, the defendants' Motion to Stay (doc. no. 23) is **denied as moot**.

Roach claims in her complaint that her injury "was caused in 2014." Compl., Doc. No. 1 at 6. Roach initiated this action on July 2, 2018. *See* Compl., Doc. No. 1. Although unclear what causes of action Roach is asserting, her claims would be barred even under the general three-year statute of limitations for tort claims. *See* Conn. Gen. Stat. § 52-577. Because it is clear from the face of the complaint that her claim is time-barred, Roach must plead sufficient facts to establish why the statute of limitations should be tolled. *See OBG Technical Svcs., Inc. v. Northrop Grumman Space & Mission Sys. Corp.*, 503 F. Supp. 2d 490, 504 (D. Conn. 2007) (citing to *Iqbal v. Hasty*, 490 F.3d 143 (2d Cir. 2007)). Roach has failed to do so here and, accordingly, her action is dismissed as time-barred.

The defendants' Motions to Dismiss (doc. nos. 17, 21, 26) are **granted**. Because Roach's claims are time-barred, the motions are granted **with prejudice**. Further, the defendants' Motion to Stay (doc. no. 23) is **denied as moot**. The clerk is directed to enter judgment in favor of the defendants and close the case.

So ordered.

Dated at Bridgeport, Connecticut, this 18th day of September 2019.

/s/ STEFAN R. UNDERHILL
Stefan R. Underhill
United States District Judge