

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ANTHONY OWENS,	:	Civ. Action No. 05-3132 (NLH)
	:	
Plaintiff,	:	
	:	
v.	:	ORDER
	:	
CITY OF ATLANTIC CITY,	:	
ATLANTIC CITY POLICE DEPT.,	:	
CHARLES MILLER, ARTHUR C.	:	
SNELLBAKER, ROBERT FLIPPING,	:	
et al.,	:	
	:	
Defendants.	:	

For the reasons expressed in the Court's Opinion filed even date,

IT IS HEREBY on this 8th day of September, 2008

ORDERED that the motion of defendant Charles Miller for reconsideration [49] is **GRANTED IN PART AND DENIED IN PART**, as follows:

1. Defendant's motion is **DENIED** with regard to the request for reconsideration of the Court's analysis of the Heck doctrine; and

2. Defendant's motion is **GRANTED** as to the Court's qualified immunity analysis to the extent that the Court modifies its prior Opinion to hold that the decision on whether Miller is entitled to qualified immunity will be held in abeyance pending the jury's resolution of the disputed facts.

s/Noel L. Hillman

At Camden, New Jersey

NOEL L. HILLMAN, U.S.D.J.