

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

TODD STATHUM, SR.,	:	
	:	
Plaintiff,	:	Civil Action No. 15-5502 (MAS) (TJB)
	:	
v.	:	<b>ORDER</b>
	:	
BARRY NADROWSKI, et al.,	:	
	:	
Defendants.	:	

This matter has come before the Court on a civil rights complaint filed by Plaintiff Todd Stathum, Sr. pursuant to 42 U.S.C. § 1983. The Court previously directed the Clerk to enter an entry of default against Defendants, due to their failure to file a timely response after service of process. (ECF No. 22.) Presently before the Court are Defendants’ Motion to Dismiss, (ECF No. 21) and Motion to Set Aside Default (ECF No. 23.) Also before the Court is Plaintiff’s Motion for Default Judgment. (ECF No. 25.) For the reasons stated in the Opinion filed on even date, and for good cause shown,

IT IS on this 22<sup>nd</sup> day of December, 2016,

**ORDERED** that the Motion to Dismiss, ECF No. 21, is hereby **GRANTED IN PART AND DENIED IN PART**;


**ORDERED** that all claims against Defendant Monmouth County Correctional Institution are hereby **DISMISSED WITH PREJUDICE**, and Defendant Monmouth County Correctional Institution is **DISMISSED** from the case;

**ORDERED** that all First Amendment claims are hereby **DISMISSED WITH PREJUDICE**;

**ORDERED** that the Motion to Set Aside Default, ECF No. 23, is hereby **GRANTED**, and the Motion for Default Judgment, ECF No. 24, is hereby **DENIED**;

**ORDERED** that the Clerk's entry of default against Defendants is hereby **VACATED**;

**ORDERED** that the Clerk shall serve a copy of this Order and the accompanying Opinion upon Plaintiff by regular mail.

  
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**Michael A. Shipp**  
**United States District Judge**