NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

ROBERT G. CASON, Plaintiff, v. **MIDDLESEX COUNTY PROSECUTORS' OFFICE *et al.*,** Defendants.	Civil Action No. 18-02101 (ZNQ) (TJB) **ORDER**

THIS MATTER comes before the Court upon five total Motions: three Motions to Dismiss which were filed separately by Defendants Middlesex County Prosecutors' Office ("MCPO"), Antonio J. Toto ("Toto"), and Newark New Jersey Public Defender's Office ("Newark PDO"). (ECF No. 34, 46, and 54), a Motion for Judgment on the Pleadings and a Motion for Default Judgment filed by Plaintiff Robert G. Cason ("Cason") (ECF Nos. 42 and 56.) MCPO filed a Brief in Support of its Motion to Dismiss ("MCPO's Moving Br.," ECF No. 34-1). Toto filed a Brief in Support of its Motion to Dismiss ("Toto's Moving Br.," ECF No. 46) and Newark PDO also filed a Brief in Support of its Motion to Dismiss. ("Newark PDO's Moving Br.," ECF No. 54.) Cason opposed both MCPO and Newark PDO's Motions to Dismiss. ("Cason's Opp'n Brs.," ECF Nos. 35, 58.) MCPO and Newark PDO replied. ("MCPO's Reply" ECF No. 38; "Newark PDO's Reply," ECF No. 62.) MCPO also opposed the Motion for Judgment on the Pleadings ("MCPO's Opp'n to Motion for Judgment on the Pleadings," ECF No. 45) and the Motion for Default Judgment ("MCPO's Opp'n to Request for Default Judgment," ECF No. 41.) Cason replied to MCPO's opposition to his Motion for Judgment on the Pleadings. ("Cason's Reply to Motion for Judgment on the Pleadings," ECF Nos. 48 and 50.) Cason also filed two

requests in conjunction with the Motion for Judgment on the Pleadings and the Motion for Default Judgment as to Defendants Sayreville Police Department ("Sayreville PD"), Old Bridge Police, Officer Bracht, and Officer Teator. (ECF Nos. 36 and 55.) The Court has considered the parties' submissions and decides the Motions without oral argument pursuant to Federal Rule of Civil Procedure 78 and Local Civil Rule 78.1. For the reasons set forth below, the Court will GRANT the Motions to Dismiss, DENY the Motion for Default Judgment, and DENY the Motion for Judgment on the Pleadings.

IT IS THEREFORE, on this **21st** day of **July 2022**, ORDERED as follows:

1. Defendants' Motions to Dismiss (ECF Nos. 34, 46, and 54) are GRANTED;
2. Plaintiff's Motion for Judgment on the Pleadings (ECF No. 42) is DENIED as moot;
3. Plaintiff's Motion for Default Judgment (ECF No. 56) is DENIED. Plaintiff is **ORDERED** that by **August 21, 2022**, to show cause in writing why the motion for default judgment against Defendants Sayreville Police Department, Old Bridge Police, Officer Bracht, and Officer Teator should not be dismissed on the basis of the *Rooker-Feldman doctrine*, *Heck v. Humphrey*, and the statute of limitations for claims under 42 U.S.C. § 1983. If Plaintiff does not establish justiciability by **August 21, 2022**, this matter will be dismissed;
4. The Clerk's Office is to mark this matter **CLOSED** pending Cason's response to the Order to Show Cause.

ZAHID N. QURAISHI
UNITED STATES DISTRICT JUDGE