

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>RODNEY BURNS,</b> <b>Plaintiff,</b>  <b>v.</b>  <b>PA DEPARTMENT</b> <b>OF CORRECTIONS, et al,</b> <b>Defendants.</b>	: : : : : : : :	 <b>CIVIL ACTION</b>     <b>No. 05-3462</b>
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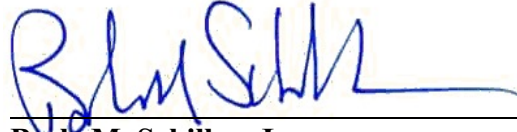
**ORDER**

**AND NOW**, this 26<sup>th</sup> day of **May, 2009**, upon consideration of Defendants' Second Motion for Summary Judgment, Plaintiff's Second Motion for Partial Summary Judgment, the responses thereto, and for the reasons discussed in the Court's Memorandum of May 26, 2009, it is hereby **ORDERED** that:

1. Defendants' motion for summary judgment (Document No. 73) is **GRANTED** as to Plaintiff's First, Second, Third, Fifth, Sixth and Seventh Claims for Relief and **DENIED** in part as to Plaintiff's Fourth Claim for Relief.
2. Plaintiff's motion for partial summary judgment (Document No. 76) is **GRANTED** in part as to Plaintiff's Fourth Claim for Relief and otherwise **DENIED**.
3. The Court **DECLARES** that Defendant Canino's failure to independently assess the reliability and credibility of the confidential informants whose testimony she relied upon in assessing Plaintiff's inmate account violated the procedural due process rights Plaintiff was entitled to given his protected property interest in the security of his inmate account.

4. The clerk of court is directed to close this case.

**BY THE COURT:**

A handwritten signature in blue ink, appearing to read 'Berle M. Schiller', written over a horizontal line.

**Berle M. Schiller, J.**