

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

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|----------------------|---|--------------|
| TRACEY L. MCKINNEY | : | CIVIL ACTION |
| | : | |
| v. | : | No. 11-4188 |
| | : | |
| LOUIS GIORLA, et al. | : | |

ORDER

AND NOW, this 30th day of April, 2012, it is ORDERED:

- Defendant Aramark Correctional Services, LLC's Motion to Amend its Motion to Dismiss to Include Aramark Employee Defendant Loraela Pittman as a Movant (Document 22) is GRANTED;
- Plaintiff Tracey L. McKinney's request for an extension of time to respond to Aramark's motion to dismiss (Document 17) is DENIED as moot¹;
- Aramark and Pittman's Motion to Dismiss (Document 10) is GRANTED. McKinney's claims against Aramark and Pittman are DISMISSED with prejudice;
- McKinney's claim against Defendant Lieutenant Murray is DISMISSED with prejudice pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A;
- McKinney's claims against Defendant Louis Giorla are DISMISSED without prejudice pursuant to 28 U.S.C. §§ 1915(e)(2)(B)(ii) and 1915A. If McKinney wishes to file an amended complaint alleging personal involvement by Giorla in the alleged violations of his constitutional rights, he shall do so by May 30, 2012; and
- McKinney's claims against Defendants Prison Health Services, Dr. Sagreiya

¹ As set forth in the accompanying Memorandum, although McKinney sought an extension of time until February 5, 2012, to respond to Aramark's motion, he did not thereafter file a response within the extension period requested.

Siddharth, and William Lawton are not dismissed.

BY THE COURT:

/s/ Juan R. Sánchez
Juan R. Sánchez, J.