

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

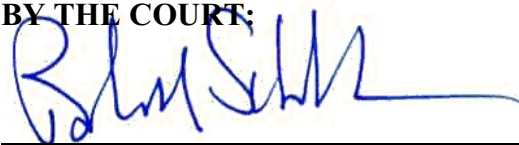
JAYSON POWELL,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
PAUL DECARLO, et al.,	:	No. 12-762
Defendants.	:	

ORDER

AND NOW, this **31st** day of **July, 2012**, upon consideration of Defendants' Motion to Dismiss Counts II, V, X and XIII as well as all claims against the Philadelphia Police Department pursuant to Federal Rule of Civil Procedure 12(b)(6) for Failure to State a Claim, Plaintiff's response thereto, and for the reasons stated in the Court's Memorandum dated July 31, 2012, it is hereby **ORDERED** that the motion is **GRANTED in part** and **DENIED in part**, as follows:

1. The motion is **GRANTED** with respect to Count II (Title VI) and XIII (Defamation). Count II and Count XIII are **DISMISSED with prejudice**.
2. The motion is **GRANTED** with respect to all claims against the Philadelphia Police Department. All claims against Philadelphia Police Department are **DISMISSED with prejudice**.
3. The motion is **DENIED** with respect to Counts V (False Arrest Under Federal Law) and X (False Imprisonment).

BY THE COURT:



Berle M. Schiller, J.