

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

ESTES SMITH : CIVIL ACTION  
 :  
 v. :  
 :  
 PATRICK R. DONAHOE, : NO. 12-2639  
 Postmaster General :

**ORDER**

AND NOW, this 30th day of September, upon consideration of Defendant's Motion for Summary Judgment, Plaintiff's Motion for Partial Summary Judgment, the responses and replies, and for the reasons stated in the accompanying Memorandum, IT IS HEREBY ORDERED that the Defendant's Motion is GRANTED to the extent Judgment is entered in Defendant's favor on Plaintiff's claim that he was denied a reasonable accommodation for his disability. For the reasons explained in the accompanying memorandum, such a claim was not administratively exhausted. In all other respects Defendant's Motion is DENIED. IT IS FURTHER ORDERED that Plaintiff's Motion for Partial Summary Judgment on the reasonable accommodation claim is DENIED.

BY THE COURT:

/s/ELIZABETH T. HEY

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ELIZABETH T. HEY  
UNITED STATES MAGISTRATE JUDGE