

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

VALERIE MYERS	:	CIVIL ACTION
Individually and as Administratrix	:	NO. 12-3660
of the Estate of Andre Morales, deceased	:	
	:	
v.	:	
	:	
POLICE OFFICER DEMOSS JONES, et al.	:	

**ORDER**

AND NOW, this 5th day of November, 2012, after consideration of the motion to dismiss the amended complaint of plaintiff Valerie Myers by defendants Upland Borough and Police Chief John R. Easton and plaintiff's response thereto, it is ORDERED that defendants' motion to dismiss is GRANTED in part and DENIED in part as follows:

1. Plaintiff's claims against Chief Easton are DISMISSED with prejudice;
2. Defendants' motion is DENIED in all other respects.

It is further ORDERED that on or before November 20th, 2012, Upland Borough shall file an answer to plaintiff's amended complaint.

s/Thomas N. O'Neill, Jr.  
THOMAS N. O'NEILL, JR., J.