

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

JAMES MCANDREW,	:	
	:	
Plaintiff,	:	
	:	CIVIL ACTION NO.
v.	:	
	:	
BUCKS COUNTY BOARD	:	2:12-CV-4676
OF COMMISSIONERS, et al.,	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 8<sup>th</sup> day of November 2013, **IT IS HEREBY ORDERED:**

- 1.) Defendants' motion to dismiss, (Doc. No. 4), is **GRANTED IN PART** and **DENIED IN PART**.
- 2.) The motion to dismiss is **GRANTED** insofar as it seeks dismissal of Count I, plaintiff's First Amendment claim, against Commissioner defendants.
- 3.) Count I is **DISMISSED WITHOUT PREJUDICE** as to the Commissioner defendants, and plaintiff is **GRANTED LEAVE TO AMEND** his complaint with respect to defendant Commissioners' personal involvement in the violation of plaintiff's First Amendment rights.
- 4.) Count III of the complaint is **DISMISSED WITHOUT PREJUDICE**.
- 5.) The motion to dismiss is **DENIED** in all other respects.

**BY THE COURT:**

/s/ C. Darnell Jones II, J.  
C. DARNELL JONES II, J.