

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

<b>NORRIS WILLIAMS,</b>	:	<b>CIVIL ACTION</b>
<b>Plaintiff,</b>	:	
	:	
v.	:	
	:	
<b>WILLIAM T. SMINKEY, et al.,</b>	:	<b>NO. 13-2057</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 13<sup>th</sup> day of January, 2016, upon consideration of Defendant Robert Wilsbach's Motion to Dismiss (Docket No. 12), Plaintiff's Opposition thereto (Docket No. 20), Defendants C. T. Lydon, Michael Pecko, and William Sminkey's Motion to Dismiss (Docket No. 19), and Defendant Robert Wilsbach's Motion to Substitute Exhibits (Docket No. 24), it is hereby **ORDERED** that:

1. Defendant Robert Wilsbach's Motion to Substitute Exhibits (Docket No. 24) is **GRANTED**. The Exhibits attached to Officer Wilsbach's Motion to Dismiss (Docket No. 12-1) are hereby **STRICKEN** and replaced by the exhibits attached to the Motion to Substitute.<sup>1</sup>
2. Defendant Robert Wilsbach's Motion to Dismiss (Docket No. 12) is **GRANTED**. The claims against Officer Wilsbach are **DISMISSED without prejudice**.
3. Defendants C. T. Lydon, Michael Pecko, and William Sminkey's Motion to Dismiss (Docket No. 19) is **GRANTED in part and DENIED in part**. All claims against Defendant C.T. Lydon are **DISMISSED without prejudice**. Mr. Williams's claims for false arrest, false imprisonment, malicious prosecution, and due process violations

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<sup>1</sup> As is more fully discussed in the Memorandum accompanying this Order, the Court's granting of this Motion should not be interpreted as approval or acceptance of the propriety of submitting exhibits for consideration with a motion to dismiss.

against all Defendants are **DISMISSED without prejudice**. Mr. Williams's claims for unlawful seizure of his property are not dismissed.

4. All claims against Defendant Campbell are **DISMISSED without prejudice**.
5. Mr. Williams may file a motion to amend his Complaint no later than 21 days from the date of this Order. Any motion to amend should include a proposed amended complaint and should summarize for the Court any newly-added allegations.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
United States District Judge