

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

MALIK ALSTON,  
**Plaintiff,**

v.

WENEROWICZ, et al.,  
**Defendants**

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**CIVIL ACTION NO. 14-2691**

**ORDER**

**AND NOW**, this 26<sup>th</sup> day of March 2015, upon consideration of Defendant’s Motion to Dismiss the Complaint against Defendants Moore, Wenerowicz, Ondrejka, Edwards, and Shaylor [Doc. No. 10], it is hereby **ORDERED** that Defendant’s Motion is **GRANTED** as follows:

1. Plaintiff’s improper grievance processing claim is **DISMISSED WITH PREJUDICE**;
2. Plaintiff’s deliberate indifference, retaliation, and conspiracy claims are **DISMISSED WITHOUT PREJUDICE** to Plaintiff’s right to file an amended complaint.

It is **FURTHER ORDERED** that Plaintiff is granted leave to file an amended complaint no later than **April 16, 2015**.

**IT IS SO ORDERED.**

**BY THE COURT:**

*/s/ Cynthia M. Rufe*

CYNTHIA M. RUFÉ, J.