

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

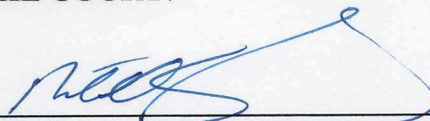
DERRICK FUNDENBERG	:	CIVIL ACTION
	:	
v.	:	
	:	
MICHAEL NUTTER, MAYOR;	:	
LOUIS GIORLA, COMMISSIONER; and	:	
JOHN DELANEY, WARDEN.	:	NO. 14-3761
	:	
MITCHELL S. GOLDBERG, J.		NOVEMBER 29, 2016

**ORDER**

**AND NOW**, this 29th day of November, 2016, upon consideration of Plaintiff's complaint (Doc. No. 1) and Defendants' motion to dismiss (Doc. No. 8), and for the reasons stated in the accompanying Memorandum Opinion, it is hereby **ORDERED**:

1. Defendants' motion to dismiss is **DENIED**.

**BY THE COURT:**



**MITCHELL S. GOLDBERG**  
United States District Judge