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

PHILBERT WILLIAMS, :

Plaintiff, : CIVIL ACTION

:

v. :

:

OFFICER MOISES J. VELEZ, et al., : No. 16-1593

Defendants. :

## ORDER

AND NOW, this 10th day of May, 2017, upon consideration of Defendant City of Philadelphia's Second Motion to Dismiss (Docket No. 17), response thereto, and oral argument, it is hereby **ORDERED** that the Motion to Dismiss (Docket No. 17) is **GRANTED**, and that Plaintiff's claims against the City of Philadelphia, as articulated in Count II of the Amended Complaint, are **DISMISSED** without **prejudice**.

BY THE COURT:

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