

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

DENNIS IHLENFELD,

Plaintiff,

v.

DARBY BOROUGH POLICE  
DEPARTMENT et al.,

Defendants.

CIVIL ACTION  
No. 16-01990

**ORDER**

**AND NOW**, this 13th day of January, 2017, after consideration of Defendant's Motion to Dismiss Plaintiff's First Amended Complaint, (ECF No. 15), and Dennis Ihlenfeld's Response, (ECF No. 17), it is hereby **ORDERED** that the motion is **GRANTED**.

Ihlenfeld may file a Second Amended Complaint on or before **January 27, 2017** with respect to his § 1983 claims under a Fourteenth Amendment theory of liability.

BY THE COURT:

/s/ Gerald J. Pappert  
GERALD J. PAPPERT, J.