

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

DANTE JACKSON,  
Plaintiff  
v.

**FILED**

FEB 24 2019

Civil Action  
No. 16-3892

CITY OF PHILADELPHIA, et al. By \_\_\_\_\_  
Defendants.

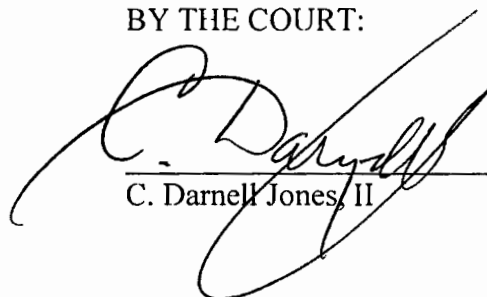
KATE BARKMAN, Clerk  
Dep. Clerk

**ORDER**

AND NOW, this *23<sup>rd</sup>* day of February, 2019, upon consideration of: Plaintiff's Third Amended Complaint (ECF No. 27), Defendants Murray, Mooney, and Johnson (Moving Defendants)'s Motion to Dismiss (ECF No. 41), and Plaintiff's Response in Opposition (ECF No. 44), it is hereby ORDERED as follows:

- (1) Moving Defendants' Motion to Dismiss is GRANTED;
- (2) Plaintiff's Third Amended Complaint is DISMISSED WITH PREJUDICE ONLY AS TO Defendant Johnson;
- (3) Plaintiff's Third Amended Complaint is DISMISSED WITHOUT PREJUDICE AS TO Defendants Murray, Mooney, and all remaining previously named defendants; and,
- (4) Plaintiff is PERMITTED TO SEEK LEAVE to file a Fourth Amended Complaint within twenty-one (21) days of the date of this Order. Any such motion shall remedy only the deficiencies discussed in the accompanying memorandum. Failure by Plaintiff to seek leave to amend shall result in dismissal with prejudice as to all Moving Defendants here, and reinstatement of Plaintiff's Third Amended Complaint as to all remaining previously named defendants.

BY THE COURT:

  
\_\_\_\_\_  
C. Darnell Jones, II J.