

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

<b>WAYNE NELSON</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>CITY OF PHILADELPHIA, DET. MILES</b>	:	
<b># 8060 and DET. MACCLAIN # 8094</b>	:	<b>NO. 17-1970</b>

**ORDER**

**NOW**, this 29th day of August, 2017, upon consideration of the Defendants' Motion to Dismiss Plaintiff's Complaint for Failure to State a Claim (Document No. 3), it is **ORDERED** that the motion is **GRANTED**.

**IT IS FURTHER ORDERED** as follows:

1. The Complaint is **DISMISSED**;
2. The plaintiff is granted leave to file an amended complaint no later than September 29, 2017; and
3. Failure to file an amended complaint within the time required will result in the dismissal of this action with prejudice.

/s/TIMOTHY J. SAVAGE