

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

MICHAEL WOOLFOLK,	:	
Plaintiff,	:	
	:	
v.	:	No. 2:17-cv-03513
	:	
MEIER, <i>CORRECTIONAL OFFICER</i> ,	:	
EDWARD D. MCFADDEN, <i>WARDEN</i> ,	:	
TERENCE FARRELL, <i>COMMISSIONER</i> ,	:	
KATHI COZZONE, <i>COMMISSIONER</i> , and	:	
MICHELLE KICHLINE, <i>COMMISSIONER</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 12th day of April, 2018, for the reasons set forth in the Opinion issued this date, **IT IS ORDERED THAT**:

1. The Motion to Dismiss, ECF No. 12, is **GRANTED in part and DENIED in part** as follows:

A. The Motion is granted with respect to the claims against Defendants McFadden, Farrell, Cozzone, and Kichline, all claims against these Defendants are **DISMISSED without prejudice**, and these Defendants are **TERMINATED** as parties to this action;

B. The Motion is granted with respect to the claims against Defendant Meier under the First and Fourteenth Amendments for allegedly removing Woolfolk from his prison job and worker's cell and these claims are **DISMISSED without prejudice**; and

C. The motion is denied with respect to the claims against Defendant Meier under the Eighth and Fourteenth Amendments for allegedly calling Woolfolk a snitch;

2. To the extent that Woolfolk's brief in opposition to the Motion to Dismiss asks that the Complaint be granted, Woolfolk's motion, ECF No. 15, is **DENIED**;

3. If Woolfolk wants to renew any of the dismissed claims or Defendants, he **MUST** file an amended complaint **no later than Friday, May 4, 2018**. If he fails to timely file an amended complaint, the case will proceed only against Defendant Meier for claims under the Eighth and Fourteenth Amendments for allegedly calling Woolfolk a snitch; and

4. Woolfolk's request for the appointment of counsel, ECF No. 16, is **DENIED without prejudice**.

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge