

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

JAMES DENNIS, : CIVIL ACTION
 : NO. 18-2689
 Plaintiff, :
 v. :
 :
 CITY OF PHILADELPHIA, et al. :
 :
 Defendants. :

O R D E R

AND NOW, this **15th** day of **May, 2019**, upon consideration of Defendants' Motion to Dismiss (ECF No. 5), Plaintiff's response in opposition (ECF No. 6), and the reply and sur-reply thereto (ECF Nos. 14, 15), and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that Defendants' Motion to Dismiss (ECF No. 5) is **DENIED in part** and **GRANTED in part** as follows:

1. Plaintiff's claims are neither barred by Heck v. Humphrey, 512 U.S. 477 (1994), nor the statute of limitations.
2. Defendant detectives are not entitled to qualified immunity at this time.
3. The City of Philadelphia is entitled to qualified immunity only insofar as Plaintiff's claim against it seeks recovery for Brady violations; the

remainder of the claim against the City will go forward.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.