

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

**SAMUEL O. ARAOYE a/k/a
ELLSWORTH D.,**
Plaintiff,

:

CIVIL ACTION

v.

NO. 23-1331

**THOMAS J. VILSACK, JOSEPH
HARRISON, STEPHANIE NIEMI, and
DENNIS JEMMERSON,**
Defendants.

ORDER

AND NOW, this 5th of February 2024, upon consideration of Defendants' Motion to Dismiss and Substitute Certain Defendants (ECF No. 53), Plaintiff's response thereto (ECF No. 54), and the parties' Cross-Motions for Summary Judgment (ECF Nos. 55-59), it is **HEREBY ORDERED** that Defendants Joseph Harrison, Stephanie Niemi, and Dennis Jemmerson are **DISMISSED** from this case and Plaintiff's claims for damages under *Bivens v. Six Unknown Agents of the Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), are **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment is **DENIED**, and Defendant Thomas J. Vilsack's Motion for Summary Judgment is **GRANTED**.

The Clerk of Court is directed to **TERMINATE** this matter and mark it **CLOSED**.

BY THE COURT:

/S/WENDY BEETLESTONE, J.

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