

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

SEAN TAPP,

:
:
:
:
:
:
:

CIVIL ACTION

v.

NO. 11-677

DANNY BRAZILL, et al.

ORDER

AND NOW this _____ day of _____, 2014, **IT IS HEREBY ORDERED AND DECREED** that upon careful consideration of Defendants’ Motion for Summary Judgment (Doc. 52), Plaintiff’s Cross-Motion for Summary Judgment (Doc. 53), along with briefs and exhibits, that:

1. Plaintiff’s Cross-Motion for Summary Judgment (Doc. 53) is **DENIED**;
2. Defendants Danny Brazill, Lancaster Country Prison, Sgt. Jacobs, Corrections Officer (“C/O”) L. Grier, C/O Miller, C/O Cannefield, C/O Marin, Sgt. Wolffe, Warden Vincent Guarini,¹ Robert Samasko, C/O Roder, C/O Hersh, and C/O B. Johnson’s Motion for Summary Judgment (Doc. 52) is **GRANTED**; and
3. Defendant City of Lancaster is **DISMISSED** as a Defendant for Lack of Prosecution.²

IT IS FURTHER ORDERED that the Clerk of Court shall mark this matter as **CLOSED** for statistical purposes.

BY THE COURT:

/s/Petrese Tucker

Hon. Petrese B. Tucker, C.J.

¹ Plaintiff Tapp misspells Vincent “Guarini” as “Guardreeni” in his Complaint.

² The Defendant City of Lancaster was served on May 19, 2011. Plaintiff Tapp has failed to pursue his claim against the City in any meaningful way in the almost three years since this case has been active.