

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

ALFREDO MESTRE, JR.	:	CIVIL ACTION
	:	
	:	
v.	:	
	:	
	:	
WARDEN GEORGE A. WAGNER	:	NO. 11-2191

**ORDER**

**AND NOW**, this 31st day of January, 2012, upon consideration of the Motion to Dismiss Defendant Warden George Wagner Pursuant to F. R. C. P. 12(b)(6) (Document No. 13) and the plaintiff's response, it is **ORDERED** that the motion is **GRANTED**.

**IT IS FURTHER ORDERED** that the complaint is **DISMISSED**.

/s/Timothy J. Savage  
TIMOTHY J. SAVAGE, J.