

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

_____	:	
MICHAEL S. MILLER	:	
Plaintiff,	:	
v.	:	CIVIL ACTION NO. 12-3040
	:	
PA DEPARTMENT OF CORRECTIONS, et al.	:	
Defendants.	:	
_____	:	

ORDER

AND NOW, this 26th day of March 2013, upon consideration of Defendants’ Motions to Dismiss [Doc. Nos. 12 and 20], to which no response has been filed, and for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that the Motions are **GRANTED**. Plaintiff’s Complaint is **DISMISSED WITH PREJUDICE** as to the Eighth Amendment and Fourteenth Amendment Claims, and is **DISMISSED WITHOUT PREJUDICE** as to the First Amendment Claims as explained in the memorandum opinion.

It is further **ORDERED** that the Clerk shall **CLOSE** the case.

It is so **ORDERED**.

BY THE COURT:

/s/ **Cynthia M. Rufe**

CYNTHIA M. RUFÉ, J.