


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

| | | |
|---------------------------|---|---------------------|
| ANTHONY RAY RIVERA | : | CIVIL ACTION |
| | : | |
| v. | : | No. 16-5003 |
| | : | |
| JOSHUA HOBSON | : | |

ORDER

AND NOW, this 11th day of October 2018, upon considering Defendant's Motion for summary judgment (ECF Doc. No. 28), Plaintiff's Opposition (ECF Doc. No. 34), Defendant's Reply (ECF Doc. No. 40), Plaintiff's Sur-reply (ECF Doc. No. 45), the parties' supplemental Memoranda (ECF Doc. Nos. 49, 51) filed with leave under our September 28, 2018 Order (ECF Doc. No. 46), and for reasons in the accompanying Memorandum, it is **ORDERED** Defendant's Motion (ECF Doc. No. 28) is **DENIED** as genuine issues of material fact preclude the defense of governmental immunity and Officer Hobson is not entitled to the defense of official immunity as a matter of law.



KEARNEY, J.