

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

CLARENCE ABNEY,	:	
Plaintiff	:	No. 1:13-cv-01418
	:	
v.	:	(Judge Kane)
	:	
CALEB YOUNKER, et al.,	:	(Magistrate Judge Schwab)
Defendants	:	

ORDER

AND NOW, on this 4th day of February, 2015, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Schwab’s Report and Recommendation (Doc. No. 95) is **ADOPTED**;
2. Plaintiff’s objections (Doc. No. 97) are **OVERRULED**;
3. Defendants’ motion for summary judgment (Doc. No. 52) is **GRANTED IN PART** and **DENIED IN PART**;
4. Counts III and V of Plaintiff’s Complaint (Doc. No. 1) are **DISMISSED WITH PREJUDICE**; and
5. The above-captioned action is referred back to Magistrate Judge Schwab for further proceedings.

s/ Yvette Kane
 Yvette Kane, District Judge
 United States District Court
 Middle District of Pennsylvania