

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

TERRY SUTTON, et al.,	:	
Plaintiffs	:	No. 1:14-cv-1584
	:	
v.	:	
	:	(Judge Kane)
CHANCEFORD TOWNSHIP, et al.,	:	
Defendants	:	

ORDER

AND NOW, on this 16th day of May 2016, **IT IS HEREBY ORDERED THAT**

Defendants' motion to dismiss (Doc. No. 6) is **GRANTED IN PART** and **DENIED IN PART** as follows:

1. Plaintiffs' claim under the Takings Clause of the United States Constitution is **DISMISSED WITHOUT PREJUDICE**;
2. Plaintiffs' claim under the Equal Protection Clause of the United States Constitution is **DISMISSED WITHOUT PREJUDICE**;
3. Plaintiffs' claim under the Due Process Clause of the United States Constitution is **DISMISSED WITHOUT PREJUDICE**;
4. In all other respected, Defendants' motion is **DENIED**; and
5. Plaintiffs are granted leave to file an amended complaint within 21 days of the date of this order.

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