

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

<b>CHRISTIAN M. SMITHSON,</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 1:14-cv-1866</b>
v.	:	
	:	
<b>MARIAH BRITTANY RIZZO, <u>et al.</u>,</b>	:	<b>(Judge Kane)</b>
<b>Defendants</b>	:	

-----  
--

<b>CHRISTIAN M. SMITHSON,</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 1:14-cv-1867</b>
v.	:	
	:	
<b>TROOPER BURNHAM, <u>et al.</u>,</b>	:	<b>(Judge Kane)</b>
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 7th day of April 2015, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Blewitt's Report and Recommendation (No. 14-1866, Doc. No. 21; No. 14-1867, Doc. No. 19) is **ADOPTED**;
2. Plaintiff's objections (No. 14-1866, Doc. No. 24) are **OVERRULED**;
3. The Clerk of Court is directed to consolidate the case docketed as Civil Action No. 1:14-cv-1867 into the case docketed as Civil Action No. 1:14-cv-1866, and to close the case docketed as Civil Action No. 1:14-cv-1867;
4. Defendants' motions to dismiss (No. 14-1866, Doc. No. 2; No. 14-1867, Doc. No. 2) are **GRANTED AS FOLLOWS**:
  - a. Plaintiff's claims against the Pennsylvania State Police and for money damages under the Pennsylvania Constitution are **DISMISSED WITH PREJUDICE**;
  - b. The remainder of Plaintiff's claims are **DISMISSED WITHOUT**

**PREJUDICE;**

5. Plaintiff's motions for summary judgment (No. 14-1866, Doc. No. 13; No. 14-1867, Doc. No. 11) are **DENIED**;
6. Plaintiff's motions requesting that the Court hold a hearing (No. 14-1866, Doc. No. 30; No. 14-1867, Doc. Nos. 22, 27) are **DENIED**;
7. Plaintiff's motions to remove mistitled earlier motions requesting habeas relief (No. 14-1866, Doc. No. 29; No. 14-1867, Doc. No. 26) are **DENIED AS MOOT**;
8. Defendants' motions to stay summary judgment (No. 14-1866, Doc. Nos. 15, 18; No. 14-1867, Doc. Nos. 13, 16) are **DENIED AS MOOT**;
9. Plaintiff's motions to remove Defendant York County Public Defender's Office (No. 14-1866, Doc. Nos. 25, 28; No. 14-1867, Doc. No. 22) are **DENIED AS MOOT**;
10. Plaintiff's motion to exceed page limitation (No. 14-1866, Doc. No. 23) is **DENIED AS MOOT**; and,
11. The Clerk of Court is also directed to close the consolidated case docketed at Civil Action No. 1:14-cv-1866.

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