

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

PARIS L. JAMES,	:	
	:	
Plaintiff	:	No. 1:14-CV-01951
	:	
vs.	:	(Judge Kane)
	:	
DAVID VARANO, et al.,	:	
	:	
Defendants	:	

ORDER

In accordance with the accompanying memorandum, **IT IS HEREBY ORDERED THAT:**

1. The Medical Defendants' motion to dismiss (Doc. 30) is **GRANTED IN PART** and **DENIED IN PART** as set forth below.

2. James's conspiracy claims, equal protection claims and condition-of-confinement claims are **DISMISSED**. In all other respect the motion is **DENIED**.

3. The Corrections Defendants' motion to dismiss (Doc. 31) is **GRANTED IN PART** and **DENIED IN PART** as set forth below.

4. The Corrections Defendants' motion to dismiss the official capacity claims is **DEEMED MOOT**.

5. The Corrections Defendants' motion to dismiss the verbal harassment claims is **GRANTED** except with respect to Defendants Mosier, Tripp and Else.

6. The Corrections Defendants' motion to dismiss the equal protection claims is **GRANTED**.

7. The Corrections Defendants' motion to dismiss the

conspiracy claims is **GRANTED** except for Defendants Mosier, Tripp and Else.

8. The Corrections Defendants' motion to dismiss the retaliation claims is **GRANTED** except for Defendants Mosier, Tripp and Else.

9. The Corrections Defendants' motion to dismiss the Eighth Amendment condition-of-confinement claims and medical care claims is **DENIED** except for Defendants Varano and McCarthy. The claims against Defendants Varano and McCarthy are **DISMISSED**.

10. All discovery shall be completed within ninety (90) days of the date of this order.

11. Any further dispositive motions shall be filed within thirty (30) days of the close of discovery.

12. James is granted 90 days from the date of this order in which to properly identify the John and Jane Doe defendants. If James fail to timely identify those defendants, they shall be dismissed from this action.

s/ Yvette Kane
Yvette Kane
United States District Judge

Date: August 31, 2016