

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

CBM MINISTRIES OF SOUTH CENTRAL PENNSYLVANIA,	:	CIVIL ACTION NO. 15-CV-2147
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
LESLIE S. RICHARDS, in her official capacity as Secretary of the Pennsylvania Department of Transportation, and COLONEL TYREE C. BLOCKER, in his official capacity as Commissioner of the Pennsylvania State Police,	:	
	:	
Defendants	:	

ORDER & PARTIAL JUDGMENT

AND NOW, this 19th day of September, 2017, upon consideration of the pending cross-motions (Docs. 45, 49) for summary judgment, and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. Defendants' motion (Doc. 45) for summary judgment is GRANTED as to plaintiff's constitutional claims at Counts III and IV and is otherwise DENIED.
2. Plaintiff's motion (Doc. 49) for summary judgment is DENIED.
3. Judgment is ENTERED in favor of defendants in accordance with paragraph 1 above.
4. Plaintiff's claim for declaratory judgment under the federal Declaratory Judgment Act, 28 U.S.C. § 2201, is DISMISSED without prejudice to plaintiff's right to reframe and reinstate the claim under the Pennsylvania Declaratory Judgments Act, 42 CONS. STAT. § 7531 *et seq.*

5. The court declines to exercise supplemental jurisdiction over plaintiff's remaining claim under Pennsylvania's Religious Freedom Protection Act, 71 PA. STAT. AND CONS. STAT. ANN. §§ 2401-07.
6. This matter is REMANDED to the Franklin County Court of Common Pleas.
7. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER

Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania