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

STEVEN C. BUTTOLPH, :

Plaintiff, : 1:16-cv-0325

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v. : Hon. John E. Jones III

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PRIME CARE MEDICAL INC.,

et al., :

Defendants. :

ORDER

February 28, 2017

NOW THEREFORE, upon consideration of the motion (Doc. 14) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), and in accordance with the Court's Memorandum of the same date, it is hereby ORDERED that:

- 1. Defendants' motion (Doc. 14) to dismiss is GRANTED. Plaintiff's complaint is DISMISSED in its entirety.
- 2. The Court declines to exercise supplemental jurisdiction over the Plaintiff's state law claims.
- 3. The Clerk of Court is directed to CLOSE this case.
- 4. Any appeal from this order is deemed frivolous and not in good faith. *See* 28 U.S.C. § 1915(a)(3).

s/ John E. Jones IIIJohn E. Jones IIIUnited States District Judge