

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

SCOTT SARGENT,	:	CIVIL NO. 1:17-CV-511
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
JAMES LARSON, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 22nd day of March, 2019, upon consideration of the motion (Doc. 45) for summary judgment pursuant to Federal Rule of Civil Procedure 56 by defendants Benoit and Joyce, and the Luzerne County defendants' motion (Doc. 47) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), and for the reasons set forth in the court's memorandum of the same date, it is hereby ORDERED that:

1. The motion (Doc. 45) for summary judgment by defendants Benoit and Joyce is GRANTED. The Clerk of Court is directed to ENTER judgment in favor of defendants David Benoit and Elizabeth Joyce, and against plaintiff.
2. The motion (Doc. 47) to dismiss by the Luzerne County defendants is GRANTED.
3. The action against Diane Popacheck and Ranaldo Diaz is DISMISSED pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. See FED. R. CIV. P. 4(m).

4. The Clerk of Court is directed to CLOSE this case.
5. Any appeal from this order is deemed frivolous and not in good faith.
See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania