

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

ROBERT D. FORD,
Plaintiff

v.

CITY OF HARRISBURG, et al.,
Defendants

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No. 1:17-cv-00908

(Judge Kane)

(Magistrate Judge Carlson)

ORDER

AND NOW, on this 16th day of September 2019, in accordance with the Memorandum issued concurrently with this Order, and upon independent review of the record and the applicable law, **IT IS ORDERED THAT:**

1. The Court **ADOPTS** in part the Report and Recommendation (Doc. No. 41) of Magistrate Judge Carlson insofar as it recommends that this Court dismiss counts 4 and 5 of Plaintiff's amended complaint;
2. Defendants' Motion to Dismiss (Doc. No. 28) is **GRANTED** with respect to counts 1, 2, 4, and 5 of Plaintiff's amended complaint, and those counts are **DISMISSED WITH PREJUDICE**;
3. Plaintiff's pendent state law claims (counts 3, 6 and 7) are **DISMISSED WITHOUT PREJUDICE** pursuant to 28 U.S.C. § 1367(c)(3); and
4. The Clerk of Court is directed to **CLOSE** this case.

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