

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

<b>EDWARD TERANTINO,</b>	:	<b>CIVIL ACTION NO. 1:21-CV-1248</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>FAWN FORTSON, ROBERT LYNCH,</b>	:	
<b>PAULA PRICE, KEVIN KAUFFMAN,</b>	:	
<b>and JOHN WETZEL,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 6th day of May, 2022, upon consideration of defendants' motions (Docs. 14, 20) to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6), and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that:

1. The DOC defendants' motion (Doc. 14) to dismiss is GRANTED in its entirety.
2. Defendant Fortson's motion (Doc. 20) to dismiss is DENIED.
3. Terantino, if desired, may file an amended complaint that addresses the deficiencies identified in the accompanying memorandum within 21 days of the date of this order, or by May 27, 2022. If no amended complaint is timely filed, this case will proceed against Fortson only.
4. Defendant Fortson may renew her challenge regarding failure to exhaust administrative remedies via a motion for summary judgment under Federal Rule of Civil Procedure 56 and Local Rule of Court 56.1.

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