

FEB 27 2018

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

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SEAN PRESSLEY, :
 :
 Plaintiff, : CIVIL NO. 3:08-0449
 :
 v. : (MANNION, D.J.)¹
 : (MEHALCHICK, M.J.)
 ADAM HUBER, *et al.*, :
 :
 Defendants : :

ORDER

In accordance with the memorandum issued this same day, IT IS
HEREBY ORDERED THAT:

- (1) the report and recommendation of Judge Mehalchick, (Doc. 155), is **ADOPTED IN ITS ENTIRETY**;
- (2) the motions for summary judgment filed by defendants (Doc. 127, Doc. 145), asserting that plaintiff Sean Pressley failed to exhaust his DOC administrative remedies are **GRANTED IN PART** and **DENIED IN PART**;
- (3) the motions are **GRANTED** with respect to all of Pressley's remaining claims against defendants Steigerwalt, Marsh, Jr., Chambers, Taggart, Kelchner, O'Hara, Beard, Yohn,

¹The above captioned matter was reassigned to the undersigned on February 21, 2017.

Gerber, Ayers, Tabias, and Taylor, and these claims as well as these defendants are **DISMISSED**;

- (4) the motions are **DENIED** with respect to Pressley's claim for excessive force against defendants Huber and Zimmerman, and this claim **SHALL PROCEED**; and
- (5) the instant action will be set down for trial in a separate order only regarding Pressley's excessive force claim against defendants Huber and Zimmerman.

sl Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Date: February 27, 2018

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