

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

<p>CYRUS R. SANDERS,</p> <p style="text-align: center;">Plaintiff</p> <p style="text-align: center;">v.</p> <p>COUNTY OF BRADFORD, et al.,</p> <p style="text-align: center;">Defendants</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>CIVIL ACTION NO. 3:11-1723</p> <p>(MANNION, D.J.) (BLEWITT, M.J.)</p>
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ORDER

For the reasons set forth in the Memorandum of this date, **IT IS HEREBY ORDERED THAT:**

- (1) The report and recommendation of Judge Blewitt regarding the Bradford County Defendants, (Doc. No. [64](#)), is **ADOPTED** to the extent that it recommends the motion to dismiss be granted on immunity grounds;
- (2) Bradford County Defendant's motion to dismiss, (Doc. No. [23](#)), is **GRANTED**;
- (3) The Clerk is directed to **TERMINATE** Defendant Daniel Barrett from the action;
- (4) The Clerk is directed to **TERMINATE** Defendant The County of Bradford from the action;
- (5) The report and recommendation of Judge Blewitt regarding the PennDOT Defendants, (Doc. No. [66](#)), is **ADOPTED** to the extent

that it recommends the motion to dismiss be granted on immunity grounds and for failure to state a claim;

- (6) PennDOT Defendant's motion to dismiss, (Doc. No. [24](#)), is **GRANTED**;
- (7) The Clerk is directed to **TERMINATE** Defendant The Pennsylvania Department of Transportation from the action;
- (8) The Clerk is directed to **TERMINATE** Defendant Lizette Harner from the action;
- (9) The report and recommendation of Judge Blewitt regarding the Montgomery County Defendants, (Doc. No. [67](#)), is **ADOPTED** to the extent that it recommends the motion to dismiss be granted on immunity grounds and for failure to state a claim with respect to the state employees and Defendant James Vanness. The court declines to adopt the report and recommendation with respect to Defendant Cynthia Dunlap.
- (10) Montgomery County Defendant's motion to dismiss, (Doc. No. [25](#)), is **GRANTED**;
- (11) The Clerk is directed to **TERMINATE** Defendant Montgomery County from the action;
- (12) The Clerk is directed to **TERMINATE** Defendant Officers Unknown, Montgomery County from the action;
- (13) The Clerk is directed to **TERMINATE** Defendant Risa Vetri

Ferman from the action;

- (14) The Clerk is directed to **TERMINATE** Defendant Richard Marsh from the action;
- (15) The Clerk is directed to **TERMINATE** Defendant James H. Vanness from the action;
- (16) The case is **REMANDED** to Judge Blewitt for further pre-trial case management including dispositive motions.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: June 4, 2013

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