

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

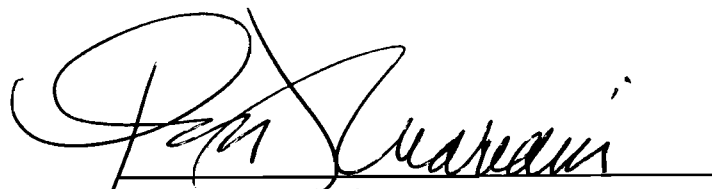
PAUL STOLARIK,	:	
	:	
Plaintiff,	:	
	:	
v.	:	3:12-CV-01249
	:	(JUDGE MARIANI)
CITY OF WILKES-BARRE, et al.,	:	
	:	
Defendants.	:	

ORDER

AND NOW, THIS 30TH DAY OF OCTOBER, 2013, in accordance with the Court's Memorandum Opinion, **IT IS HEREBY ORDERED THAT:**

1. Defendant's Motion to Dismiss Portions of Plaintiff's Complaint is **GRANTED IN PART**, to wit:
 - a. All Counts are **DISMISSED WITHOUT PREJUDICE**, except that,
 - b. That portion of Count I that appears to allege an independent substantive due process claim under the Fourteenth Amendment is **DISMISSED WITH PREJUDICE** to the extent that it does so.

2. Plaintiffs shall have **FOURTEEN (14) DAYS** from the date of this Order to file an amended complaint.

A handwritten signature in black ink, appearing to read "R. Mariani", written over a horizontal line.

Robert D. Mariani
United States District Judge