

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

DAVID FLOYD,	:	
Plaintiff,	:	3:13-cv-578
	:	
v.	:	(Judge Mariani)
	:	
LT. OLSHEFSKI, <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 26th day of March, 2015, in accordance with the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motion to dismiss and for summary judgment, (Doc. 34), is **GRANTED** in part and **DENIED** in part.
2. Defendants' motion to dismiss Plaintiff's excessive force claim relating to the August 24, 2011 incident is **DENIED**.
3. Defendants' motion to dismiss Plaintiff's conspiracy claim is **GRANTED**.
4. Defendants' motion for summary judgment is **DENIED** without prejudice with the right to renew the motion at a later point in the process of this case.
5. Defendants shall answer the remaining claims in Plaintiff's amended complaint within thirty (30) days of the date of this Order.



Robert D. Mariani
United States District Judge