

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

MARY ELLEN CONDRON,
Plaintiff

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No. 3:13cv818

(Judge Munley)

v.

DEBRA J. FACCIOLO and THE
PENNSYLVANIA STATE POLICE,
Defendants

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ORDER

AND NOW, to wit, this 9th day of January 2014, defendants' motion to dismiss (Doc. 5) is hereby **GRANTED** as follows:

1. The motion is granted with respect to plaintiff's claims against the Pennsylvania State Police. The Clerk of Court is directed to dismiss the Pennsylvania State Police from this case;
2. Defendant Debra J. Facciolo is dismissed from the case to the extent that she is sued in her official capacity. Defendant Facciolo will remain in the case in her individual capacity.
3. Plaintiff's First Amendment retaliation claim is **DISMISSED** with prejudice;
4. Plaintiff's Fourteenth Amendment due process claim is **DISMISSED** with prejudice;

5. Plaintiff's Fourteenth Amendment equal protection claim is dismissed without prejudice to plaintiff filing an amended complaint within fourteen (14) days properly asserting this claim; and
6. If plaintiff fails to file an amended complaint in fourteen (14) days, this case will be closed.

BY THE COURT:

s/ James M. Munley
JUDGE JAMES M. MUNLEY
United States District Court