

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

INELL FOYE,	:	
Plaintiff	:	CIVIL ACTION NO. 3:14-CV-2478
	:	(Judge Nealon)
v.	:	
	:	
WEXFORD HEALTH SOURCES, INC., <u>ET AL.</u> ,	:	
Defendants	:	

**ORDER**

**AND NOW, THIS 30<sup>TH</sup> DAY OF MARCH, 2016**, in accordance with the

Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants Mooney, Martino, Yackiel, and Varner's motion to dismiss, (Doc. 27), is **GRANTED** as to Plaintiff's 42 U.S.C. § 1983 claims.
2. Plaintiff's 42 U.S.C. § 1983 claims against Defendants Mooney, Martino, Yackiel, and Verner are **DISMISSED** with prejudice.
3. Defendants Davis, Hale, and Wexford Health Sources, Inc.'s ("Wexford Health") motion for summary judgment, (Doc. 30), is **GRANTED** as to Plaintiff's 42 U.S.C. § 1983 claims. Judgment is hereby entered as to Plaintiff's 42 U.S.C. § 1983 claims in favor of Defendants Davis, Hale, and Wexford Health and against Plaintiff.
4. Plaintiff's 42 U.S.C. § 1983 claims against Defendants Patrick Cumminsky, SCI-Coal Township and the Pennsylvania Department of Corrections is **DISMISSED** with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B) and 28 U.S.C. § 1915A.
5. Plaintiff's pendent state claims are **DISMISSED** pursuant to 28 U.S.C. § 1367(c)(3).

6. The Clerk of Court is directed to **CLOSE** this case.
7. Any appeal taken from this Order will be deemed frivolous, without probable cause, and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

/s/ William J. Nealon  
**United States District Judge**