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

JOSHUA PAYNE,	:	Civil No. 3:15-cv-1010
Plaintiff	:	(Judge Mariani)
v.	:	
DUNCAN, *et al.*,	:	
Defendants	:	

ORDER

AND NOW, this 9th day of February, 2017, upon consideration of Defendants' motion (Doc. 26) to dismiss or, in the alternative, for summary judgment, and for the reasons set forth in the Court's Memorandum of the same date, **IT IS HEREBY ORDERED THAT**:

1. Defendants' motion (Doc. 26) for summary judgment is **GRANTED**.
2. Judgment shall be **ENTERED** in favor of Defendants and against Plaintiff.
3. The Clerk of Court is directed to **CLOSE** this action.
4. Any appeal from this order is **DEEMED** frivolous and not in good faith. *See* 28 U.S.C. § 1915(a)(3).

Robert D. Mariani
United States District Judge