

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

DAVID DAVISON, :
 :
 Plaintiff : **CIVIL ACTION NO. 3:15-1373**
 :
 v. : **(JUDGE MANNION)**
 :
 STACEY LYNN KENNEDY, et al., :
 Defendants :

ORDER

In light of the memorandum issued in the above-captioned matter, **IT IS HEREBY ORDERED THAT:**

- (1) The motion to dismiss plaintiff's complaint of Parole Defendants, (Doc. [11](#)), is **GRANTED IN PART** and **DENIED IN PART**.
- (2) The Parole Defendants' motion to dismiss is **DENIED** with respect to plaintiff's §1983 claims of deprivation of his Fourth Amendment rights and Fourteenth Amendment due process rights in Count I against defendants Taylor and Sheaffer.
- (3) The Parole Defendants' motion is **GRANTED** to the extent that: a) plaintiff's Fifth Amendment due process claim is **DISMISSED WITH PREJUDICE**; b) the Parole Board is **DISMISSED WITH PREJUDICE**; c) defendant Novak is **DISMISSED WITHOUT PREJUDICE**; d) plaintiff's equal

protection claim is **DISMISSED WITHOUT PREJUDICE**;
and e) all of plaintiff's state law claims in Count II are
DISMISSED WITH PREJUDICE.

(4) Defendant Kennedy is **DISMISSED WITHOUT PREJUDICE**
and Doe Defendants are **DISMISSED WITHOUT**
PREJUDICE.

(5) Defendants Taylor and Sheaffer are directed to file their
answer to the remaining claims in Count I of plaintiff's
complaint against them within seven days of the date of this
Order.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Date: February 11, 2016

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