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

PATRICK JACKSON, : CIVIL NO. 3:15-cv-2394

Plaintiff

: (Judge Munley)

:

A. MARTINEZ, et al.,

v.

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Defendants:

ORDER

AND NOW, to wit, this 2nd day of March 2017, upon consideration of defendants' motion (Doc. 15) to dismiss or, in the alternative, for summary judgment pursuant to Federal Rule of Civil Procedure 56, and for the reasons set forth in the Court's Memorandum of this date, it is hereby ORDERED that:

- 1. Defendants' motion (Doc. 15) for summary judgment is GRANTED. The Clerk of Court is directed to ENTER judgment in favor of defendants and against plaintiff.
- 2. The Clerk of Court is directed to CLOSE this case.
- 3. Any appeal from this order is DEEMED frivolous and not in good faith. <u>See</u> 28 U.S.C. § 1915(a)(3).

BY THE COURT:

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