

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

MICHAEL BRODIE,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 3:16-0208
	:	
v	:	
	:	(JUDGE MANNION)
Supt. JOHN D. FISHER, et al.,	:	
	:	
Defendants		

ORDER

For the reasons set forth in the Memorandum of this date, **IT IS HEREBY ORDERED THAT:**

1. Defendant's motion to dismiss Plaintiff's complaint for failure to state a claim, pursuant to [Fed.R.Civ.P. 12\(b\)\(6\)](#), (Doc. [13](#)) is **GRANTED**.
2. The Clerk of Court is directed to **CLOSE** this case.
3. 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/ Malachy E. Mannion

**Malachy E. Mannion
United States District Judge**

DATE: March 23, 2017

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