

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

<p>ELEAZAR YISRAEL,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p style="padding-left: 80px;">v.</p> <p>STATE POLICE, et al.,</p> <p style="padding-left: 40px;">Defendants</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>CIVIL ACTION NO. 3:16-572</p> <p>(JUDGE MANNION)</p>
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ORDER

For the reasons set forth in the Memorandum of this date, **IT IS**

HEREBY ORDERED THAT:

1. The motion to dismiss Defendant, Luzerne County Medical Director, (Doc. [17](#)), is **GRANTED**.
2. The complaint against Defendant, Luzerne County Sheriff's Department, is **DISMISSED** pursuant to [28 U.S.C. §1915\(e\)\(2\)\(B\)\(ii\)](#).
3. The Clerk of Court is directed to **CLOSE** this case.
4. 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\(a\)\(3\)](#).
5. The plaintiff will have until April 14, 2017 to file an amended complaint with respect to the excessive force claim as set forth in the Memorandum filed this day.

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

Date: March 21, 2017

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