

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

ROBERT BENUSSI,

Plaintiff,

v.

LUZERNE COUNTY, *et al.*,

Defendants.

NO. 3:17-CV-1668

(JUDGE CAPUTO)

ORDER

**NOW**, this 28<sup>th</sup> day of August, 2018, **IT IS HEREBY ORDERED** that:

(A) The Motion to Dismiss filed by Defendants Correct Care Solutions, Renato Diaz, Elizabeth Joyce, and Michael Tengowski (Doc. 27) is **GRANTED**.

(1) The Amended Complaint (Doc. 18) is **DISMISSED without prejudice** as to Defendants Correct Care Solutions, Renato Diaz, Elizabeth Joyce, Michael Tengowski, and John/Jane Doe Medical Defendants.

(B) The Motion to Dismiss filed by Defendants Luzerne County, Robert Lawton, and James Larson (Doc. 21) is **GRANTED in part and DENIED in part**.

(1) Counts Three and Four of the Amended Complaint are **DISMISSED without prejudice** as to Defendants Luzerne County, Robert Lawton, James Larson, and John/Jane Doe Correctional Defendants.

(2) The Motion is **DENIED** in all other respects.

/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge