

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

LAUREN HARVIN,

Plaintiff

v.

SUPERINTENDENT LAWRENCE
MAHALLY, *et al.*,

Defendants

Civil No. 3:17-cv-2254

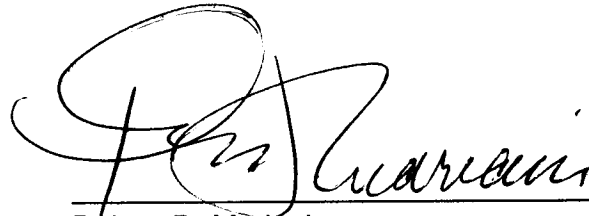
(Judge Mariani)

ORDER

AND NOW, this 7th day of March, 2019, upon consideration of Defendants' motion (Doc. 16), and for the reasons set forth in the Court's Memorandum of the same date, **IT IS HEREBY ORDERED THAT:**

1. The motion (Doc. 16) to dismiss is **GRANTED** in part and **DENIED** in part as follows:
 - a. The motion is **GRANTED** with respect to Plaintiff's claims for monetary relief against the Defendants in their official capacities. These claims are **DISMISSED** in their entirety.
 - b. The motion is **GRANTED** with respect to the claims against Defendant Mahally based on lack of personal involvement. The Clerk of Court is directed to **TERMINATE** Lawrence Mahally as a party to this action.
 - c. The motion is **DENIED** with respect to the claims against Defendants Zakarauska, Demming, Verbyla, Goyne, and White based on lack of personal involvement.
 - d. The motion is **GRANTED** with respect to the Equal Protection Claim. This claim is **DISMISSED** in its entirety.

2. The motion (Doc. 16) for summary judgment based on failure to exhaust administrative remedies is **DENIED**.
3. Defendants Zakarauska, Demming, Verbyla, Goyne, and White shall file an answer to the remaining claims in Plaintiff's complaint (Doc. 1) or appropriate pretrial motion on or before March 28, 2019.

A handwritten signature in black ink, appearing to read "R. Mariani", written over a horizontal line.

Robert D. Mariani
United States District Judge