

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

KYLE ROGERS,

Plaintiff,

v.

CITY OF WILKES-BARRE, *et al.*,

Defendants.

NO. 3:18-CV-0039

(JUDGE CAPUTO)

**ORDER**

**NOW**, this 9<sup>th</sup> day of July, 2018, **IT IS HEREBY ORDERED** that:

- (1) Defendants' Motion to Dismiss the Complaint (Doc. 5) is **GRANTED in part**.
- (2) Plaintiff's federal law claims are **DISMISSED with prejudice** pursuant to Federal Rule of Civil Procedure 12(b)(6).
- (3) Plaintiff's state law claims are **DISMISSED without prejudice**.
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.

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