

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

TRAVIS SMELTZ,  
Plaintiff


v.

ALEJANDRO N. MAYORKAS,  
SECRETARY, DEPARTMENT OF  
HOMELAND SECURITY; and  
SECRETARY OF THE  
TRANSPORTATION SECURITY  
ADMINISTRATION,  
Defendants

: No. 3:23cv636  
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: (Judge Munley)  
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**ORDER**

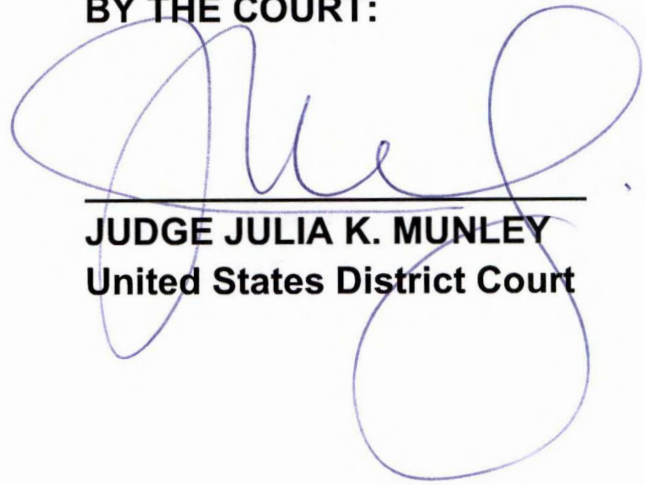
AND NOW, this  25 day of September 2024, for the reasons set forth in an accompanying memorandum, it is hereby **ORDERED** that:

- 1) Defendants' motion to dismiss (Doc. 17) is **GRANTED**;
- 2) Plaintiff's disparate treatment claim asserted in Count Two of the amended complaint pursuant to Title VII of the Civil Rights Act of 1964 is **DISMISSED** with prejudice;
- 3) Plaintiff's claims for violation of 42 U.S.C. § 1983 in Count Three of the amended complaint are **DISMISSED** with prejudice;
- 4) Regarding the other causes of action raised in the amended complaint, plaintiff is granted leave to file a second amended complaint **within**

**twenty-one (21) days** consistent with the court's rulings in the memorandum; and

- 5) If plaintiff fails to file a second amended complaint within twenty-one (21) days, the court will dismiss plaintiff's remaining claims in accordance with the memorandum and direct the Clerk of Court to close this case.

**BY THE COURT:**



**JUDGE JULIA K. MUNLEY**  
**United States District Court**