

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PAUL AZZARA,

Plaintiff

v.

WILLIAM A. SCISM, et al.,

Defendants

: CIVIL ACTION NO. 4:CV-11-1075

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: (Judge Nealon)

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**ORDER**

FILED  
SCRANTON  
MAR 01 2012  
Per *[Signature]*  
DEPUTY CLERK

NOW, THIS 1<sup>ST</sup> DAY OF MARCH, 2012, for the reasons set forth in the

Memorandum of this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' motion to dismiss or, in the alternative for summary judgment (Doc. 20) is **GRANTED**. Judgment is hereby entered in favor of Defendants and against Plaintiff
2. Plaintiff's motion for preliminary injunction and temporary restraining order (Doc. 3) is **DENIED**.
3. Plaintiff's motion for reconsideration of this Court's November 2, 2011 Order denying consolidation of the instant civil action with Plaintiff's pending habeas corpus action, (Doc. 37) is **DISMISSED** as moot.<sup>8</sup>
4. The Clerk of Court shall **CLOSE** this case.
5. Any appeal from this order will be deemed frivolous, not taken in good faith and lacking probable cause.

*[Signature of William Nealon]*

United States District Judge

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1. Additionally, this motion was subject to dismissal for Plaintiff's failure to file a supporting brief. See M.D. Pa. Local Rule 7.5.