

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

QUINCY MYERS,

Plaintiff,

v.

BRANDON WHEELER,

Defendant.

No. 4:24-CV-00763

(Chief Judge Brann)

ORDER

SEPTEMBER 24, 2024

In accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Wheeler's motion to dismiss (Doc. 6) is **GRANTED** in part and **DENIED** in part;
2. Myers' claim for selective enforcement (Count 4) is **DISMISSED** without prejudice, while all other claims may proceed; and
3. Myers may, if he chooses, file an amended complaint on or before October 8, 2024.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge