



- (1) The motion is **GRANTED** with prejudice, and without leave to amend, as to all of Mr. Gorrio's official capacity claims, his claims for injunctive relief, and any claim for violation of the Pennsylvania Constitution.
- (2) The motion is **GRANTED** with prejudice, and without leave to amend, as to as to **Counts A, F, O, P, and Q** of Mr. Gorrio's amended complaint;
- (3) The motion is **GRANTED** without prejudice, and with leave to amend, as to **Counts E, G, H, L, and M**.
- (4) The motion is **GRANTED IN PART** and **DENIED IN PART** as to **Count K**. Specifically, the motion to dismiss Count K is **DENIED** as to Defendants Henry, Saxion, Ohrman, Cox, Twardzik, Regina, and Haines, but **GRANTED** without prejudice, and with leave to amend, as to all other Defendants.
- (5) Defendants did not move to dismiss **Counts B, C, D, I, J, and N** insofar as they are asserted against Defendants in their individual capacity, do not seek injunctive relief, and do not assert violations of the Pennsylvania Constitution.

It is **FURTHER ORDERED** that Defendants House, Allen, and Rudzinski are **DISMISSED** from this action pursuant to the screening provisions of 28 U.S.C. § 1915(e)(2)(B)(ii).

It is **FURTHER ORDERED** that Mr. Gorrio may, if he so chooses, file a second amended complaint to attempt to cure the pleading deficiencies with respect to those claims the Court has dismissed without prejudice (**Counts E, G, H, L, M, and part of Count K**). Alternatively, Mr. Gorrio may choose to proceed on his current complaint, but only as to **Counts B, C, D, I, J, and N**. Judge Dodge may, at her discretion, set an appropriate deadline for Mr. Gorrio to file any amended complaint.

It is **FURTHER ORDERED** that Judge Dodge's Report & Recommendation, ECF 92, is **ADOPTED** as the opinion of the Court.

BY THE COURT:

/s/ J. Nicholas Ranjan  
United States District Judge