

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

MUMIA ABU-JAMAL, et al.,	:	
Plaintiffs	:	Civil Action No. 3:15-CV-00967
	:	
v.	:	(Judge Mariani)
	:	
JOHN KERESTES, GEISINGER	:	(Magistrate Judge Mehalchick)
MEDICAL CENTER	:	
Defendants	:	FILED ELECTRONICALLY

**DEFENDANT KERESTES' MOTION TO DISMISS
PLAINTIFF'S AMENDED AND SUPPLEMENTAL COMPLAINT**

AND NOW comes Defendant Kerestes, by and through his attorney, Laura J. Neal, Assistant Counsel, and hereby moves this Court, pursuant to Fed. R. Civ. P. 12(b)(6) to dismiss the claims against him for failure to state a claim upon which relief may be granted.

WHEREFORE, Defendant respectfully requests that this Court dismiss the claims against him for failure to state a claim upon which relief may be granted for the reasons set forth in his supporting brief.

Respectfully submitted,

Office of General Counsel

Dated: January 4, 2016

By: /s/ Laura J. Neal

Laura J. Neal

Assistant Counsel

PA 81070

Pennsylvania Department of Corrections

Office of Chief Counsel

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Counsel for Defendants

CERTIFICATE OF NON-CONCURRENCE

The undersigned hereby certifies that concurrence in this motion was sought and refused by counsel for Plaintiff.

Respectfully submitted,

Office of General Counsel

Dated: January 4, 2016

By: /s/ Laura J. Neal

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CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a true and correct copy of the foregoing document upon the following person(s) in the manner indicated below.

Served Via ECF:

<u>For Defendant Geisinger Medical Center:</u>	<u>For Plaintiffs:</u>
Daniel T. Brier, Esq. dbrier@mbklaw.com John B. Dempsey, Esq. jdempsey@mbklaw.com Suzanne Conaboy, Esq. sconaboy@mbklaw.com	Bret D. Grote, Esq. bretgrote@abolitionistlawcenter.org Robert J. Boyle, Esq. rjboyle55@gmail.com

s/ Laura J. Neal
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