

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

MUMIA ABU-JAMAL, et al.,	:	
	:	
Plaintiffs,	:	
v.	:	3:15-CV-00967
	:	(JUDGE MARIANI)
JOHN KERESTES, et al.	:	
	:	
Defendants.	:	

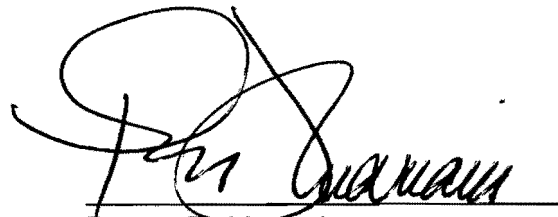
**ORDER**

AND NOW, THIS 5TH DAY OF AUGUST, 2016, upon consideration of Defendant Kerestes's "Motion to Dismiss Plaintiff's Amended and Supplemental Complaint" (Doc. 81),

**IT IS HEREBY ORDERED THAT** said Motion is **GRANTED IN PART** and **DENIED IN PART**, to wit:

1. Plaintiff's causes of actions alleged against Defendant Kerestes in his official capacity are **DISMISSED WITH PREJUDICE**.
2. Counts I, II, and III are **DISMISSED WITHOUT PREJUDICE AND WITH LEAVE TO AMEND** within **fourteen (14) days** of the date of this Order in accordance with the Court's accompanying Memorandum Opinion. Plaintiff's Counsel is **HEREBY PUT ON NOTICE** that the Court expects any such amendment to contain specific allegations of fact, stated in the active voice and delineating the specific actions or omissions by Defendant Kerestes, if any, which establish personal involvement or knowledge and acquiescence in the constitutional violations alleged by Plaintiff.

3. Counts IV, V<sub>1</sub>, and V<sub>2</sub> are **DISMISSED WITH PREJUDICE** as to Defendant Kerestes.
4. Count VI is **DISMISSED WITH PREJUDICE** as to Defendant Kerestes.
5. Defendant Kerestes's "Motion to Dismiss Plaintiff's Amended and Supplemental Complaint" (Doc. 81) is **DENIED** with respect to Count VII.



Robert D. Mariani  
United States District Judge