

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

JOSHUA BENJAMIN, a minor, by THOMAS
BENJAMIN and JANET BENJAMIN,

Plaintiffs,

v.

OFFICER JAMES B. FASSNACHT, CORPORAL
BRIAN BRAY, LANCASTER COUNTY,
DAVID MUELLER, CAROLE TROSTLE,
ROBERT KLING, DREW FREDERICKS,
DAREN DUBEY and JOSEPH CHOI,

Defendants.

CIVIL ACTION
NO. 12-585

ORDER

AND NOW, this 28th day of October, 2015, after an interlocutory appeal of this Court's August 14, 2014 order, and in light of the opinion and order of the U.S. Court of Appeals for the Third Circuit dated September 15, 2015 which reversed this Court's August 14, 2014 order, it is hereby **ORDERED** that this case is dismissed with prejudice. The Clerk of Courts shall mark this case closed.

BY THE COURT:

/s/ Jeffrey L. Schmehl
Jeffrey L. Schmehl, J.