

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DONELL L. PRINCE,

Plaintiff,

v.

THOMAS AIELLOS,

Defendants.

Civil Action No.: 09-5429 (JLL)

ORDER

LINARES, District Judge.

This matter comes before the Court by way of three motions to dismiss the Third Amended Complaint [Docket Entry Nos. 122, 125 and 127]. Based on the reasons set forth by the Court in its corresponding Opinion dated December 21, 2010,

IT IS on this 21st day of December, 2010,

ORDERED that the motions to dismiss filed under Docket Entry Nos. 122, 125 and 127 are granted; and it is further

ORDERED that Plaintiff's claim of conspiracy to maliciously prosecute is dismissed, with prejudice, as to all Defendants; and it is further

ORDERED that Plaintiff's equal protection claim is dismissed, with prejudice, as to all Defendants with the exception of Defendant Janice Behnke; and it is further

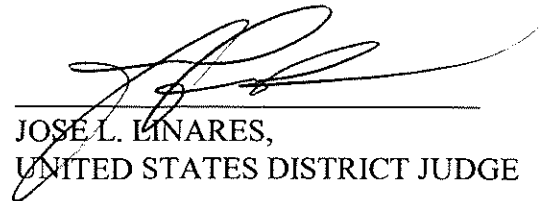
ORDERED that this matter will proceed, at this juncture, solely as to the following two claims as against two Defendants: (a) Plaintiff's claim of malicious prosecution as against Defendant Sergeant Thomas Aiellos, and (b) Plaintiff's equal protection claim as against Defendant Janice Behnke; and it is further

ORDERED that Defendant Thomas Aiellos shall file an Answer to Plaintiff's Third Amended Complaint within fourteen (14) days; and it is further

ORDERED that Defendant Janice Behnke shall file an Answer or formal motion to dismiss the Third Amended Complaint within fourteen (14) days; and it is further

ORDERED that the Clerk's Office is directed to modify the docket in this matter to reflect the numerous Defendants who are no longer parties to this matter.

IT IS SO ORDERED.



JOSE L. LINARES,
UNITED STATES DISTRICT JUDGE