

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

MANNIE GARCIA,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	Civil No. JFM-12-3592
)	
MONTGOMERY COUNTY,)	
MARYLAND, et al.,)	
)	
<i>Defendants.</i>)	
)	

ORDER

For the reasons stated in the accompanying Memorandum, it is, this 23rd day of August 2013, hereby ORDERED that:

1. Defendants' amended motion to dismiss counts I through VII of plaintiff's complaint (ECF No. 11) is GRANTED in part and DENIED in part;
2. The claims asserted against Lieutenant Sheelor in his individual capacity in Counts I, II, and III are DISMISSED;
3. The claim asserted against Officer Baxter in his individual capacity in Count III is DISMISSED;
4. The official capacity claims asserted against Officers Malouf, Baxter, and Graves and Lieutenant Sheelor in Counts I, II, and III are DISMISSED;
5. The state-law claims asserted against Montgomery County and the official capacity defendants in Counts VI and VII are DISMISSED;
6. The state law claims asserted against Officer Baxter and Lieutenant Sheelor in their official capacities in Counts VI and VII are DISMISSED;

7. The Privacy Protection Act claim asserted in Count V is DISMISSED with respect to all defendants other than Montgomery County;
8. The official capacity claims asserted against Chief Manger in Counts I, II, and III and against Montgomery County in Count IV are bifurcated and stayed pending resolution of the individual capacity claims; and
9. All other claims will proceed.

United

/s/

J. Frederick Motz
States District Judge