

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

WILLIAM C. TOTH JR., <i>et al.</i> ,	:	Civil No. 1:22-CV-00208
	:	
Plaintiffs,	:	Three Judge Panel Convened
	:	Pursuant to 28 U.S.C. § 2284(a)
v.	:	
	:	
LEIGH M. CHAPMAN, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
v.	:	
	:	
CAROL ANN CARTER, <i>et al.</i> ,	:	
	:	
Intervenor-Defendants.	:	

**ORDER**

**BEFORE:** Kent A. Jordan, Circuit Judge, *United States Court of Appeals for the Third Circuit*; Patty Shwartz, Circuit Judge, *United States Court of Appeals for the Third Circuit*; Jennifer P. Wilson, District Judge, *United States District Court for the Middle District of Pennsylvania*

**AND NOW**, on this 16<sup>th</sup> day of March, 2022, in accordance with the accompany memorandum opinion, **IT IS ORDERED AS FOLLOWS:**

- 1) Defendants' motion to dismiss, Doc. 60, and Intervenor-Defendants' motion to dismiss, Doc. 58, are **GRANTED**.

2) Claims One and Two of the second amended complaint, Doc. 49,  
are **DISMISSED**.

**FOR THE COURT:**

s/Kent A. Jordan

Kent A. Jordan, Circuit Judge  
*United States Court of Appeals  
for the Third Circuit*

s/Patty Shwartz

Patty Shwartz, Circuit Judge  
*United States Court of Appeals  
for the Third Circuit*

s/Jennifer P. Wilson

Jennifer P. Wilson, District Judge  
*United States District Court  
Middle District of Pennsylvania*