

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

JOHN DOE,	:	
Plaintiff,	:	
	:	
v.	:	5:22-cv-01405
	:	
DELAWARE COUNTY, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this 5th day of August, 2022, upon consideration of Defendants’ Motion to Dismiss, and of Plaintiff’s response in opposition, **IT IS HEREBY ORDERED THAT** the motion, ECF No. 39, is **DENIED**.¹

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

¹ The Court denies the motion because a majority of the Defendants’ arguments for dismissing the complaint require the Court to assume facts not alleged in the complaint or to view the facts in a light most favorable to the Defendants’. But when adjudicating a motion to dismiss under Rule 12(b)(6), the Court must accept all facts alleged in the complaint as true and draw all reasonable inferences in the Plaintiff’s favor. *See Lundy v. Monroe Cty. Dist. Attorney's Office*, No. 3:17-CV-2255, 2017 WL 9362911, at *1 (M.D. Pa. Dec. 11, 2017), *report and recommendation adopted*, 2018 WL 2219033 (M.D. Pa. May 15, 2018). After doing this, the Plaintiff has alleged facts that state a plausible claim, which is all that is required at this stage of the litigation. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 540, 555 (2007).