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States Court of Appeals  
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5-14-1999

## Carter v. City of Philadelphia

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No. 98-1581

Re: Carter v. City of Philadelphia, et al.

The following modifications have been made to the Court's Opinion issued on April 28, 1999 in the above-entitled appeal and will appear as part of the final version of the opinion:

Page 2, after "Susan F. Burt, Esquire" delete "Berlinger & Small"

Page 6, line 6, after "Office" insert "pursuant to Fed. R. Civ. P. 12(b)(6)"

Page 12, third line of the first full paragraph, after "reasons" insert "-- explaining how it balanced the competing concerns that inform our interpretation of Rule 54(b) --"

Page 13, in the third paragraph, line 4, change the year from "1985" to "1995"

Page 25, line 7 of the first full paragraph, delete "prosecution" and insert "litigation"

Page 26, n. 53, line 3 "States'" should be "states'" and again at the end.

Page 28, last line on page, delete "11 S. Ct. at 1938 n.2"

Page 29, next to last line of first paragraph after "1983" the comma should be deleted and a hyphen inserted.

Page 31, n.61, add the following sentence at the end:  
"To the extent that  
Carter's claims are predicated on inadequate training, supervision or discipline of police officers (as opposed to assistant district attorneys),  
Carter will be required to establish sufficient de jure or de facto control by  
the defendants to supporting a finding of causation."

98-1581

Carter v. City of Philadelphia, et al.

Very truly yours,

/s/P. Douglas Sisk, Clerk

□