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3-24-2015

## Phillip Fantone v. Fred Latini

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 13-3611

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PHILLIP LEE FANTONE,  
Appellant

v.

FRED LATINI, JOE BURGER, and RON MACKEY

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On Appeal from the United States District Court  
for the Western District of Pennsylvania  
(D.C. Civ. No. 2-12-cv-01691)  
Honorable Cynthia R. Eddy, Magistrate Judge

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BEFORE: VANASKIE, GREENBERG, and  
COWEN, Circuit Judges

**ORDER AMENDING OPINION**

The opinion filed February 18, 2015 is hereby amended as follows:

The sentence starting at the bottom of page 18 and continuing to the top of page 19 is amended to read as follows:

The Supreme Court explained in Haines that a pro se complaint, “however inartfully pleaded,” must be held to “less stringent standards than formal pleadings drafted by lawyers,” id. at 520-21, 92 S.Ct. at 596, but we nonetheless review the pleading to ensure that it has “sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face.” Ashcroft v Iqbal, 556 U.S. 662, 678, 129 S.Ct. 1937, 1949 (2009).

Following this sentence the first letter in the first word of the citation. i.e. see, to Erickson v. Pardus shall be capitalized.

This amendment does not alter the prior disposition of the Court and the judgment entered on February 18, 2015 shall not be amended.

By the Court,

s/ Morton I. Greenberg  
Circuit Judge

Dated: March 24, 2015  
SLC/cc: Tarah E. Ackerman, Esq.  
Thomas S. Jones, Esq.  
Peter D. Laun, Esq.  
Kemal A. Mericli, Esq.