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7-29-2002

## Vassallo v. Timoney

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UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

No: 01-4124

MICHAEL VASSALLO,

Appellant

v.

JOHN TIMONEY, COMMISSIONER - PHILADELPHIA POLICE DEPARTMENT; RICHARD ZAPPILE, DEPUTY COMMISSIONER - PHILADELPHIA POLICE DEPARTMENT; ALOYSIUS MARTIN, LIEUTENANT - PHILADELPHIA POLICE DEPARTMENT; JOHN NORRIS, DEPUTY COMMISSIONER - PHILADELPHIA POLICE DEPARTMENT; JAMES DANBACH, POLICE OFFICER - PHILADELPHIA POLICE DEPARTMENT; JAMES WILLIAMSON, SPECIAL AGENT; JOHN MCGRATH, POLICE OFFICER - PHILADELPHIA POLICE DEPARTMENT; CYNTHIA O'LEARY, POLICE OFFICER - PHILADELPHIA POLICE DEPARTMENT; THOMAS HYERS, POLICE OFFICER - PHILADELPHIA POLICE DEPARTMENT; DONALD GILLESPIE, POLICE OFFICER - PHILADELPHIA POLICE DEPARTMENT; CITY OF PHILADELPHIA

On Appeal for the United States District Court  
for the Eastern District of Pennsylvania  
(Civil No. 00-CV-0084)  
District Court: Hon. Jay C. Waldman

Submitted Pursuant to Third Circuit LAR 34.1(a)  
July 15, 2002

Before: McKEE, WEIS and DUHE, Circuit Judges.  
OPINION OF THE COURT  
(Filed: July 29, 2002)

McKEE, Circuit Judge.

Michael Vassallo was a former sergeant with the Philadelphia Police Department. This case arises from his termination as a police officer and a subsequent federal prosecution for his alleged deprivation of the civil rights of an arrested man. He appeals from the district court's grant of summary judgment to the defendants on his 1983 malicious prosecution and false arrest claims, his First Amendment retaliation claim, his municipal liability claim for failure to reinstate to the Police Department and state law claims for malicious prosecution, false arrest and intentional infliction of emotional distress. Our review of the district court's grant of summary judgment is plenary. *Huang v. BP Amoco Corp.*, 271 F.3d 560, 564 (3d Cir. 2001).

Inasmuch as the district court (Waldman, J.) has already set forth the factual and procedural history of this case, we find it unnecessary to repeat that history here. See *Vassallo v. Timoney*, No. 00-84, 2001 WL 1243517 (E.D. Pa. October 15, 2001). Moreover, the district court, in its Memorandum Opinion and Order, has carefully and completely explained its reasons for denying Vassallo the relief he seeks and granting summary judgment to the defendants. Because of the district court's thoughtful and searching analysis, we need not engage in a redundant analysis simply to reach the same result.

Accordingly, we will affirm the district court substantially for the reasons set forth in the district court's Memorandum Opinion without further elaboration.

TO THE CLERK OF THE COURT:

Please file the foregoing Opinion.

/s/Theodore A. McKee  
Circuit Judg