

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

<b>MICHAEL WINSTON</b>	:	<b>CIVIL ACTION NO. 1:10-CV-867</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Conner)</b>
	:	
<b>v.</b>	:	
	:	
<b>EDWARD RENDELL,</b>	:	
<b>TOM CORBETT,</b>	:	
<b>FRANK E. PAWLOWSKI and</b>	:	
<b>MICHAEL P. DALEY,</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

AND NOW, this 16th day of November, 2010, upon consideration of the report of the magistrate judge (Doc. 12), recommending that the complaint be dismissed with prejudice and that the file be closed for plaintiff's failure to file an amended complaint or a motion for extension of time by June 29, 2010 (Doc. 11), and, following an independent review of the record and noting that defendant filed a "response" to the report on August 19, 2010 (Doc. 13)<sup>1</sup>, which response is wholly without merit, it is hereby ORDERED that:

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<sup>1</sup> Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at \*3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at \*6 (M.D. Pa. Sept. 8, 2008)). The response filed in this case contains only conclusory assertions and does not specify any particular error in the report. Nevertheless, in the exercise of caution, the court has undertaken a *de novo* review of the entire report.

1. The report of the magistrate judge (Doc. 12) is ADOPTED.
2. The Clerk of Court is instructed to CLOSE this case.

S/ Christopher C. Conner  
CHRISTOPHER C. CONNER  
United States District Judge