

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

LENELLE GRAY, : CIVIL ACTION NO. 1:CV-10-1772
: :
Plaintiff : (Chief Judge Kane)
: (Magistrate Judge Carlson)
v. : :
UNITED STATES OF AMERICA : :
: :
Defendant : :

O R D E R

Before the court in the captioned action is a March 28, 2013 report and recommendation of Magistrate Judge Carlson. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

- 1) The Court adopts the Report and Recommendation of Magistrate Judge Carlson. (Doc. No. 65).
- 2) The United States' motion to dismiss the complaint, or alternatively for summary judgment on the plaintiff's single remaining tort claim (Doc. No. 51) is **DENIED**.
- 3) The case is referred to Magistrate Judge Carlson for further pretrial management.

S/ Yvette Kane
YVETTE KANE, Chief Judge
United States District Court
Middle District of Pennsylvania

Dated: April 19, 2013