

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

<p><b>ANDRE JACOBS,</b> <b>Plaintiff,</b></p> <p style="text-align: center;">v.</p> <p><b>DISTRICT ATTORNEY’S OFFICE,</b> <b>et al.,</b></p> <p style="text-align: center;"><b>Defendants</b></p>	<p>: : : : : : : : :</p>	<p><b>CIVIL NO. 1:CV-10-2622</b></p> <p style="text-align: center;"><b>(Judge Kane)</b></p>
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**ORDER**

**AND NOW**, this 7<sup>th</sup> day of August, 2014, in accordance with the accompanying

Memorandum, **IT IS HEREBY ORDERED THAT:**

1. Plaintiff’s motion to accept modified version of the complaint (Doc. No. 107) is **denied**. The Clerk of Court is directed to return to SCI-Albion’s Financial Department the check previously submitted by Plaintiff along with this motion, and the prison shall ensure that said funds are re-deposited into Plaintiff’s inmate account.
2. Plaintiff’s motion to transfer case (Doc. No. 110) is **denied**.
3. Defendants’ motion to strike (Doc. No. 114) is **granted**. The Clerk of Court is directed to strike the proposed second amended complaint (Doc. No. 113) from the record. Defendants’ motion to dismiss (Doc. No. 116) is **dismissed as moot**.
4. Plaintiff’s complaint (Doc. No. 1) is **dismissed for failure to prosecute**.
5. The Clerk of Court is directed to **close this case**.
6. Any appeal from this order is deemed frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

S/ Yvette Kane  
 YVETTE KANE, District Judge  
 Middle District of Pennsylvania