

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

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| RANDALL V. HOLT, II, | : | CASE NO. 1:11-CV-0786 |
| | : | |
| Plaintiff | : | (Judge Rambo) |
| | : | |
| v. | : | (Magistrate Judge Smyser) |
| | : | |
| BRIAN BLEDSOE, et al., | : | |
| | : | |
| Defendants | : | |

ORDER

Before the court is a June 7, 2011,¹ report of the magistrate judge to whom this matter was referred in which he recommends that the amended complaint be dismissed as to some, but not all, defendants and remanded to him for further proceedings. No objections to the report have been filed. A notice of a change of address filed by Plaintiff on July 1, 2011 acknowledged receipt of the report and recommendation, as well as other orders issued recently. Upon consideration of the applicable law and the record before the court, **IT IS HEREBY ORDERED THAT:**

1) The court adopts the report and recommendation of Magistrate Judge Smyser.

2) Defendants Bledsoe, Heath, Drees, Rear, Fosnot, Maiorana, Adami, Rodamell, Hepner, Unknown SIS Officer, Murray, Yost, Edinger, Campbell, Yohe, Hornberger and Unknown Recreation Escort Officer are dismissed for failure to state a claim upon which relief may be granted and the Clerk of Court shall remove the names of those parties from the caption of this action.

¹The report and recommendation was signed by Magistrate Judge Smyser on June 3, 2011 but was not processed by the Clerk of Court until June 7, 2011.

3) This case is remanded to Magistrate Judge Smyser for further proceedings.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: July 8, 2011.