

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

**DAWN BALL,
Plaintiff**

v.

**LT. SIPE,
Defendant**

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No. 1:12-cv-00537

(Judge Kane)

(Chief Magistrate Judge Carlson)

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

Plaintiff Dawn Ball, proceeding pro se, commenced the above-captioned action on March 26, 2012, by filing a federal complaint, alleging violations of her Eighth Amendment rights. (Doc. No. 1.) On September 29, 2014, Defendant Sipe, through counsel, filed a motion for summary judgment pursuant to Federal Rule of Civil Procedure 56. (Doc. No. 56.) On November 11, 2014, Chief Magistrate Judge Carlson issued a Report and Recommendation in which he recommends that the Court grant the motion and render judgment for Defendant. (Doc. No. 68 at 25.) Plaintiff filed a response to Chief Magistrate Judge Carlson's Report and Recommendation on November 11, 2014.¹ (Doc. No. 69.) However, Plaintiff's purported objection contains no legal arguments or analysis related to her Eighth Amendment claim. (See id.) In addition, the Court has reviewed Chief Magistrate Judge Carlson's Report and Recommendation and has found no legal error.

¹ The Magistrate Act, 28 U.S.C. § 636, and Federal Rule of Civil Procedure 72(b), provide that any party may file written objections to a magistrate's proposed findings and recommendations. In deciding whether to accept, reject, or modify the Report and Recommendation, the Court is to make a de novo determination of those portions of the Report and Recommendation to which objection is made. 28 U.S.C. § 636(b)(1); M.D. Pa. L.R. 72.3.

ACCORDINGLY, on this 13th day of February 2015, **IT IS HEREBY ORDERED**

THAT:

1. Chief Magistrate Judge Carlson's Report and Recommendation (Doc. No. 68) is **ADOPTED**;
2. Plaintiff's objection (Doc. No. 69) is **OVERRULED**;
3. Defendant Sipe's motion for summary judgment (Doc. No. 56) is **GRANTED**;
4. The Clerk of Court shall enter judgment in favor of Defendant and close this case.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania