

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

<b>JAMES M. FUTRELL,</b>	:	
<b>Petitioner</b>	:	<b>No. 1:12-cv-02492</b>
	:	
<b>v.</b>	:	<b>(Judge Kane)</b>
	:	
<b>JOHN E. WETZEL, et al.,</b>	:	<b>(Magistrate Judge Carlson)</b>
<b>Respondents</b>	:	

**ORDER**

Before the Court is the November 21, 2016 Report and Recommendation of Magistrate Judge Carlson. (Doc. No. 63.) No timely objections have been filed. **ACCORDINGLY**, on this 19th day of December 2016, upon independent 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. 63);
2. Petitioner's motion for leave to file an amended petition (Doc. No. 58) is **DENIED**; and
3. The above-captioned action is referred back to Magistrate Judge Carlson for further pre-trial management.

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