

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

**BRIAN FORSHEY, an incapacitated  
person, by the Guardian of his Person  
and Estate, LINDA J. FORSHEY,**

**Plaintiff**

v.

**HUNTINGDON COUNTY, et al.,**

**Defendants**

**CIVIL NO. 1:13-CV-0285**

**(Judge Rambo)**

**(Magistrate Judge Mehalchick)**

**ORDER**

Before the court is an August 10, 2015 report of the magistrate judge (Doc. 47) to whom this matter was referred in which she recommends that the Huntingdon County Defendants’ motions to dismiss (Doc. 39) be denied. Objections to the report and recommendation were due August 27, 2015 and, to date, no objections have been filed.

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

- 1) The court adopts the report and recommendation of Magistrate Judge Mehalchick (Doc. 47).
- 2) Defendants’ motion to dismiss (Doc. 39) is **DENIED**.
- 3) This action is remanded to Magistrate Judge Mehalchick for further proceedings.

s/Sylvia H. Rambo  
United States District Judge

Dated: September 2, 2015.