

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

<p>JOSHUA BOOZE</p> <p style="padding-left: 40px;">Plaintiff</p> <p style="text-align: center;">v.</p> <p>JOHN WETZEL, et al.</p> <p style="padding-left: 40px;">Defendants</p>	<p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p> <p>:</p>	<p>CIVIL ACTION NO. 1:CV-13-cv-2139</p> <p>(JUDGE KANE)</p> <p>(Magistrate Judge Schwab)</p>
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ORDER

Before the Court in the captioned action is a December 16, 2013 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

Accordingly, upon review of the record and the applicable law, **IT IS HEREBY**

ORDERED THAT:

1) The Court adopts the Report and Recommendation of Magistrate Judge Schwab.

2) Plaintiff's complaint, (Doc. No. 1) is **DISMISSED** with leave to amend consistent with the Report and Recommendation, within twenty-one days of this order.

3) Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. No. 2) is

GRANTED.

3) The case is referred to Magistrate Judge Schwab for further pre-trial management.

s/ Yvette Kane

YVETTE KANE, District Judge
United States District Court
Middle District of Pennsylvania

Dated: January 8, 2014