

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

<b>MEL M. MARIN,</b>	:	
<b>Plaintiff</b>	:	
	:	<b>No. 1:14-cv-1523</b>
<b>v.</b>	:	
	:	<b>(Judge Kane)</b>
<b>JOE SCHMIDER,</b>	:	<b>(Magistrate Judge Schwab)</b>
<b>Defendant</b>	:	

**ORDER**

Before the Court in the above-captioned action is the September 14, 2016 Report and Recommendation of Magistrate Judge Schwab. (Doc. No. 85.) No timely objections have been filed. **ACCORDINGLY**, this 4th day of October 2016, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1. The Court adopts the Report and Recommendation (Doc. No. 85) of Magistrate Judge Schwab;
2. Defendant's motion to dismiss Plaintiff's amended complaint (Doc. No. 74) is **GRANTED**;
3. Plaintiff's federal law claims are **DISMISSED WITH PREJUDICE** as the Court finds that granting Plaintiff further leave to amend would be futile;
4. Given the Court's dismissal of Plaintiff's federal claims, the Court declines to exercise supplemental jurisdiction over Plaintiff's state law invasion of privacy claim, and therefore, Plaintiff's state law claim is **DISMISSED WITHOUT PREJUDICE** to Plaintiff refiling his claim in state court; and
5. The Clerk of Court is directed to close the above-captioned case.

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