

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

| | | |
|---------------------------------------|---|-----------------------------------|
| CHRISTIAN M. SMITHSON, | : | |
| Plaintiff | : | |
| | : | No. 1:14-cv-2073 |
| v. | : | |
| | : | (Judge Kane) |
| GAYLE FEDERICO, <u>et al.</u>, | : | |
| Defendants | : | (Magistrate Judge Carlson) |
| | : | |

ORDER

AND NOW, on this 26th day of May 2015, **IT IS HEREBY ORDERED THAT:**

1. Magistrate Judge Carlson's Report and Recommendations (Doc. Nos. 27, 28) are **ADOPTED**;
2. Plaintiff's objections (Doc. Nos. 29, 30) are **OVERRULED**;
3. Counts I and II of Plaintiff's complaint, seeking monetary damages under the Pennsylvania Constitution, are **DISMISSED WITH PREJUDICE**;
4. Plaintiff's motion for preliminary injunctive relief (Doc. No. 4) is **DENIED**; and,
5. The case is referred back to Magistrate Judge Saporito for pre-trial management, including resolution of any pending motions or, if necessary, a Report and Recommendation on same.

S/ Yvette Kane

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