

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

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|-----------------------------------|---|-------------------------------------|
| KEMYAH WASHINGTON, JR. | : | |
| Plaintiff | : | Civil Action No. 1:15-CV-849 |
| | : | |
| v. | : | (Judge Kane) |
| | : | |
| U.S.P. CANAAN KITCHEN/FBOP | : | (Magistrate Judge Carlson) |
| Defendants | : | |

ORDER

Before the Court in the above-captioned action is a May 13, 2015 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

AND NOW, this 2nd day of June, 2015, 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 Carlson. (Doc. No. 9).

2) The Plaintiff's Motion for Leave to Proceed *in forma pauperis* (Doc. No. 6) is **GRANTED**.

3) The Plaintiff's complaint is dismissed without prejudice to the plaintiff filing an amended complaint within 20 days of the date of this order.

4) If Plaintiff does not file an amended complaint within 20 days of the date of this order, the Clerk of Court is directed to close the case.

5) If Plaintiff files an amended complaint within 20 days of the date of this order, all further proceedings in this matter are referred to Magistrate Judge Carlson.

s/ Yvette Kane
YVETTE KANE, District Judge
United States District Court