

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

|                             |   |                               |
|-----------------------------|---|-------------------------------|
| <b>KEVIN WILLIAMS,</b>      | : | <b>Civil No. 1:15-cv-0975</b> |
|                             | : |                               |
| <b>Plaintiff,</b>           | : |                               |
|                             | : |                               |
| <b>v.</b>                   | : |                               |
|                             | : |                               |
| <b>PA DEPARTMENT OF</b>     | : |                               |
| <b>CORRECTIONS, et al.,</b> | : |                               |
|                             | : |                               |
| <b>Defendants.</b>          | : | <b>Judge Sylvia H. Rambo</b>  |

**ORDER**

Before the court is a Report and Recommendation of the magistrate judge (Doc. 76) in which she recommends that the court dismiss Williams’s amended complaint both because it is essentially identical to Williams’s original complaint and because it suffers from the same defects that caused the court to dismiss the original complaint. To date, no objections have been filed.

In considering whether to adopt a report and recommendation when no objections have been filed, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P. 72(b), advisory committee notes; *see also Univac Dental Co. v. Dentsply Intern., Inc.*, 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010) (explaining that judges should review dispositive legal issues raised by the report for clear error). Following an independent review of the record, the court is satisfied that the report and recommendation contains no clear error, and will therefore adopt

the recommendation to dismiss the amended complaint and close the case.

Accordingly, **IT IS HEREBY ORDERED** as follows:

1. The Report and Recommendation (Doc. 76) is **ADOPTED**.
2. The motion to dismiss the amended complaint (Doc. 66) is **GRANTED**.
3. The amended complaint (Doc. 65) is **DISMISSED** in its entirety.
4. The Clerk of Court is directed to close this case.
5. A certificate of appealability shall not issue as any appeal taken from this order is deemed both frivolous and not in good faith.

s/Sylvia H. Rambo  
SYLVIA H. RAMBO  
United States District Judge

Dated: June 6, 2019