

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

JASON HOCKENBERRY,	:	CIVIL ACTION NO. 1:15-CV-1589
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
PA. PAROLE & PROBATION, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 4th day of January, 2016, upon consideration of the report (Doc. 13) of Magistrate Judge Joseph F. Saporito, Jr., recommending that the court dismiss plaintiff's *pro se* civil rights complaint (Doc. 1) for failure to state a viable claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) and 28 U.S.C. § 1915A(b)(1), (Doc. 13 at 6-11), and further recommending that dismissal be without leave to amend in light of the incurable deficiencies in plaintiff's pleading, (*id.* at 11), and it appearing that plaintiff did not object to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure of a party to timely object to a magistrate judge's conclusions "may result in forfeiture of *de novo* review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir. 2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as a matter of good practice, a district court should "afford some level of review to dispositive legal issues raised by the report," Henderson, 812 F.2d at 878; see also Taylor v. Comm'r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac Dental Co. v. Dentsply Intern., Inc., 702 F. Supp. 2d 465, 469

(M.D. Pa. 2010)), in order to “satisfy itself that there is no clear error on the face of the record,” FED. R. CIV. P. 72(b), advisory committee notes, and, following an independent review of the record, the court being in agreement with Judge Saporito’s recommended disposition and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 13) of Magistrate Judge Saporito is ADOPTED.
2. Plaintiff’s complaint (Docs. 1, 1-2) is DISMISSED.
3. The Clerk of Court is directed to CLOSE this case.
4. Any appeal from this order is deemed to be frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania