

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

BOBBY GRIER,	:	CIVIL ACTION NO. 1:16-CV-1733
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
ROBERT ELICKER, II,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 14th day of July, 2017, upon consideration of the report (Doc. 14) of Magistrate Judge Karoline Mehalchick, recommending that the court grant the unopposed motion (Doc. 9) to dismiss filed by defendant Robert Elicker, II (“Elicker”), and dismiss the *pro se* complaint (Doc. 1) filed by plaintiff Bobby Grier (“Grier”) for failure to state a claim and want of jurisdiction without leave to amend, (see Doc. 9), and it appearing that Grier did not respond to the motion to dismiss even after the court admonished that his failure to do so would result in the court deeming said motion unopposed, (see Doc. 13), and it also appearing that Grier has not objected 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 t 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 Int'l, 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 independent review of the record, the court being in full agreement with Judge Mehalchick’s recommendation, and concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 14) of Magistrate Judge Mehalchick is ADOPTED.
2. Elicker’s unopposed motion (Doc. 9) to dismiss Grier’s complaint (Doc. 1) is GRANTED.
3. Grier’s complaint (Doc. 1) is DISMISSED.
4. The Clerk of Court is directed to CLOSE the above-captioned action.

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