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

JASON ROBINSON, :

:

Plaintiff : NO. 1:16-CV-02222

:

vs.

:

BRIAN WHEARY, et al., : (Judge Rambo)

:

Defendants:

ORDER

AND NOW, **THEREFORE**, this ____ day of May, 2017, in accordance with the accompanying memorandum, **IT IS ORDERED THAT**:

- 1. Plaintiff's motion to proceed <u>in forma pauperis</u> (Doc. No. 2) is construed as a motion to proceed without full prepayment of the filing fee and is **GRANTED**;
- 2. Defendants' motion to dismiss (Doc. No. 10) is **Granted** as set forth below;
- 3. Plaintiff's complaint is **DISMISSED** for failure to comply with Fed.

 R. Civ. P. 8 and for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) with leave to file an amended complaint, consistent with the background of this order,

within thirty (30) days of the date hereof;

4. The Amended complaint should be complete in all respect without

reference to the original complaint filed by Plaintiff; and

5. If Plaintiff fails to file an amended complaint within thirty (30) days

of the date hereof, the Clerk shall close this case without further order

of Court.

Date: May 17, 2017

S/Sylvia H. Rambo

United States District Judge