

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

DONOVON N. LEE, <i>et al.</i>,	:	CIVIL ACTION NO. 1:17-CV-338
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
JUDGE ANGELA KROM, <i>et al.</i>,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 14th day of July, 2017, upon consideration of the report (Doc. 46) of Magistrate Judge Joseph F. Saporito, Jr., issued following a comprehensive review of the amended complaint (Doc. 10) filed by *pro se* plaintiff Donovan N. Lee (“Lee”) under 28 U.S.C. § 1915(e)(2)(B), wherein Judge Saporito recommends that the court dismiss Lee’s constitutional claims pursuant to the favorable termination rule of Heck v. Humphrey, 512 U.S. 477 (1994), and decline to exercise supplemental jurisdiction over Lee’s ostensible state law defamation claim, (see Doc. 46 at 7-10), and the court noting that Lee filed a “response” to the report which the court will construe as objections thereto, see FED. R. CIV. P. 72(b)(2), and, following a *de novo* review of the contested portions of the report, see Behar v. Pa. Dep’t of Transp., 791 F. Supp. 2d 383, 389 (M.D. Pa. 2011) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(C)), and applying a clear error standard of review to the uncontested portions, see Cruz v. Chater, 990 F. Supp. 375, 376-78 (M.D. Pa. 1999), the court being in agreement with Judge Saporito that the Supreme Court’s favorable termination rule as articulated in Heck bars Lee’s constitutional claims,

that leave to amend would be futile, and that the court should decline to exercise supplemental jurisdiction over any remaining state law claim, and finding Judge Saporito's analysis to be thorough, well-reasoned, and fully supported by the record, and further finding Lee's objections to be without merit and squarely addressed by the report, it is hereby ORDERED that:

1. The report (Doc. 46) of Magistrate Judge Saporito is ADOPTED.
2. The amended complaint (Doc. 10) is DISMISSED without prejudice.
3. Lee's various motions (Docs. 14-16, 23, 33) for injunctive relief based on his amended complaint are DENIED as moot.
4. The Clerk of Court is directed to close this case.

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