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

THE ELAM FAMILY,	:	**CIVIL ACTION NO. 1:17-CV-1790**
	:	
Plaintiff	:	**(Chief Judge Conner)**
	:	
v.	:	
	:	
THE COMMONWEALTH OF PENNSYLVANIA, *et al.*,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 17th day of September, 2018, upon consideration of the report (Doc. 8) of Magistrate Judge William I. Arbuckle, issued following review of the complaint (Doc. 1) of *pro se* plaintiff "the Elam Family"[1] pursuant to 28 U.S.C. § 1915(e)(2)(B), wherein Judge Arbuckle recommends the court dismiss plaintiff's complaint, without prejudice, for failure to state a claim for which relief may be granted, and it appearing that plaintiff has not objected to the report, see FED. R. CIV. P. 72(b)(2), and the court noting that failure 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

[1] Plaintiff Rashaan-mechelle:elam purports to prosecute the instant lawsuit on behalf of her entire family. Plaintiff is not an attorney and cannot represent someone other than herself in federal court. Accordingly, we construe plaintiff's complaint as having been brought on her own behalf and not on behalf on any member of her family.

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 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 in agreement with Judge Arbuckle's recommendation, and the court thus concluding that there is no clear error on the face of the record, it is hereby ORDERED that:

1. The report (Doc. 8) of Magistrate Judge Arbuckle is ADOPTED.

2. Plaintiff's complaint (Doc. 1) is DISMISSED without prejudice.

3. Plaintiff is granted leave to amend her pleading within twenty (20) days of the date of this order.

4. Any amended pleading filed pursuant to paragraph 3 shall be filed to the same docket number as the instant action, shall be entitled "First Amended Complaint," and shall be complete in all respects. It shall be a new pleading which stands by itself as an adequate complaint under the Federal Rules of Civil Procedure, without reference to the complaint (Doc. 1) hereinabove dismissed.

5. In the absence of a timely-filed amended complaint, the Clerk of Court shall close the above-captioned action.

6. 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