

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

JUNE K. TAYLOR,	:	CIVIL ACTION NO. 1:17-CV-2407
	:	
Plaintiff	:	(Chief Judge Conner)
	:	
v.	:	
	:	
PENNSYLVANIA HIGHER EDUCATION ASSISTANCE AGENCY/AES, et al.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 8th day of November, 2018, upon consideration of the report (Doc. 21) of Chief Magistrate Judge Susan E. Schwab, recommending the court dismiss the complaint (Doc. 1) of *pro se* plaintiff June K. Taylor (“Taylor”) for failure to file an amended complaint as directed by the court by order dated June 21, 2018, (see Doc. 16), and failure to respond to the court’s order to show cause why the above-captioned action should not be dismissed pursuant to Federal Rule of Civil Procedure 41(b), (see Doc. 18), and it appearing that Taylor has not objected to the report, see FED. R. CIV. P. 72(b)(2), and has simply requested that “when you dismiss, please dismiss without prejudice,” (Doc. 17), 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 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 Schwab’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. 19) of Chief Magistrate Judge Schwab is ADOPTED.
2. Taylor’s complaint (Doc. 1) is DISMISSED without prejudice.
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