

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

JOSHUA I. PAYNE,	:	No. 1:22cv1517
Plaintiff	:	
	:	(Judge Munley)
v.	:	
	:	
BRAD RITCHIEY, Unit Manager	:	
SCI-Camp Hill, et al.,	:	
Defendants	:	

ORDER

AND NOW, to wit, this 14th day of November 2023, we have before us for disposition Magistrate Judge Daryl F. Bloom's report and recommendation, which proposes the denial of plaintiff's motion for preliminary injunction and temporary restraining order. No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, we must determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation. It is hereby **ORDERED** as follows:

- 1) The magistrate judge's report and recommendation (Doc. 35) is **ADOPTED**;
- 2) The plaintiff's motion for preliminary injunction and temporary restraining order (Doc. 15) is **DENIED**; and
- 3) The Clerk of Court is directed to remand this case to Magistrate Judge Bloom for further proceedings including disposition of the pending motion to file a second amended complaint. (Doc. 37).

BY THE COURT:

JUDGE JULIA K. MUNLEY
United States District Court