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

PORTFOLIO RECOVERY ASSOCIATES, LLC,	:	Civil No. 1:24-CV-01683
Plaintiff,	:	
v.	:	
DWAYNE A. REID, JR.,	:	
Defendant.	:	Judge Jennifer P. Wilson

MEMORANDUM

Before the court is the report and recommendation of Chief Magistrate Judge Daryl F. Bloom recommending that Plaintiff's motion to remand be granted and that this matter be remanded back to the Court of Common Pleas of York County. (Doc. 12.) Plaintiff objects to one aspect of the report and recommendation, specifically, that this matter was removed from York County Magisterial District Court No. 19-1-01 and, thus, should be remanded to that court. (Doc. 13.) For the reasons that follow, the court will adopt the report and recommendation in part and grant the motion to remand to York County Magisterial District Court No. 19-1-01.

When a party objects to a magistrate judge's report and recommendation, the district court is required to conduct a de novo review of the contested portions of the report and recommendation. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Sample v. Diecks*, 885 F.2d 1099, 1106 n.3 (3d Cir. 1989). The district court may accept, reject, or modify the magistrate judge's report and recommendation in

whole or in part. 28 U.S.C. § 636(b)(1). "Although the standard is de novo, the extent of review is committed to the sound discretion of the district judge, and the court may rely on the recommendations of the magistrate judge to the extent it deems proper." *Weidman v. Colvin*, 164 F. Supp. 3d 650, 653 (M.D. Pa. 2015) (citing *Rieder v. Apfel*, 115 F. Supp. 2d 496, 499 (M.D. Pa. 2000)). For the uncontested portions of the report and recommendation, the court affords "reasoned consideration" before adopting it as the decision of this court. *City of Long Branch*, 866 F.3d at 100 (quoting *Henderson*, 812 F.2d at 878).

Here, a review of the notice of removal and original complaint indicates that this case should be remanded back to the York County Magisterial District Court No. 19-1-01, as it was removed from that court. Thus, the court will sustain Plaintiff's objection to that aspect of the report and recommendation. Further, for the uncontested portions of the report and recommendation, the court finds Chief Judge Bloom's analysis is well-reasoned and fully supported by the record and applicable law.

Accordingly, for the reasons stated herein, the court will adopt in part the report and recommendation, sustain Plaintiff's objection, and remand this case to the York County Magisterial District Court No. 19-1-01. An appropriate order will issue.

s/Jennifer P. Wilson
JENNIFER P. WILSON
United States District Court Judge
Middle District of Pennsylvania

Dated: March 10, 2025