

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

RUBEN MENDEZ,

PLAINTIFF,

v.

CITY OF SHENANDOAH, et al.,

DEFENDANTS.

No. 3:11-CV-1476


(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

**ORDER**

**NOW** this 25<sup>th</sup> day of October, 2011, upon review of the report and recommendation of Magistrate Judge Martin C. Carlson (Doc. 5) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The report and recommendation (Doc. 5) is **ADOPTED**.
- (2) The Plaintiff's Motion to Appoint Counsel (Doc. 12) is **DENIED**.
- (3) The Plaintiff's Complaint is **DISMISSED** with prejudice.
- (4) The clerk of court is directed to mark this case **CLOSED**.

  
 A. Richard Caputo  
 United States District Judge