

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

ARTHUR LEE WOODS,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS, et al.,

Defendants.

No. 3:11-CV-1919

(JUDGE CAPUTO)

(MAGISTRATE JUDGE BLEWITT)

ORDER

NOW this 30th day of December, 2011, upon review of Magistrate Judge Blewitt's Report and Recommendation (Doc. 9) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 9) is **ADOPTED**.
- (2) All of Plaintiff's claims under §1985 and § 1986 are **DISMISSED with prejudice**.
- (3) All of Plaintiff's negligence claims under the FTCA against the individual Defendants are **DISMISSED with prejudice**. Plaintiff will file separate FTCA actions against the United States after he files tort claims with the BOP regarding each and every one of his negligence claims and after he exhausts his administrative remedies with respect to all of his negligence claims.
- (4) Insofar as Plaintiff seeks compensatory and punitive damages against Defendants in their official capacities, these damages claims are **DISMISSED with prejudice**.
- (5) All of Plaintiff's constitutional claims arising during his confinement at USP-Lee and USP-Hazleton are **DISMISSED without prejudice** to file in the proper District Courts to the extent that they are not time barred.
- (6) Staff Employees at the BOP are **DISMISSED without prejudice** as to prison staff at USP-Lee and USP-Hazleton.
- (7) Defendants unnamed Staff Employees at the BOP are **DISMISSED without prejudice**. Plaintiff will file a separate action or actions against only USP-Allenwood staff and USP-Lewisburg staff if he later discovers their names.

- (8) All of Plaintiff's claims arising during his confinement in federal prisons prior to October 17, 2009 are **DISMISSED with prejudice** as time barred.
- (9) All of Plaintiff's constitutional claims under *Bivens* against Defendant BOP are **DISMISSED with prejudice**.
- (10) BOP supervisory Defendants Kane, Watts, Norwood and Martinez are **DISMISSED with prejudice**.
- (11) The claims in which Plaintiff alleges that he was deprived of his due process rights with respect to his twenty (20) disciplinary hearings on false misconduct reports are **DISMISSED without prejudice**.
- (12) Plaintiff is directed to file an Amended Complaint, captioned to the above referenced civil number, regarding only his claims that are related in conformity with Rule 20(a) of the Federal Rules of Civil Procedure.
- (13) Plaintiff is further directed to file separate civil actions, along with separate *in forma pauperis* motions, as to his other numerous claims that do not share common legal and factual questions and that do not arise out of the same transactions or occurrences.
- (14) This action is recommitted to Magistrate Judge Blewitt for further proceedings.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge