

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

CURTIS L. SMITH,	:	CIVIL ACTION NO. 3:12-cv-524
	:	
Plaintiff	:	(Judge Nealon)
	:	
v.	:	
	:	
CHARLES E. SAMUELS, JR., <u>ET AL.</u> ,	:	
	:	
Defendants	:	

ORDER

NOW, THIS 12th DAY OF SEPTEMBER, 2013, in accordance with the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. Defendants' dispositive motion, (Doc. 25), is construed as solely seeking summary judgment;
2. Summary judgment is **GRANTED** in favor of Defendants BOP, Jerome Combs Detention Center and Kanakee County Detention Center in Kanakee County, Illinois, FCI-Allenwood, and FCI-Elkton on the grounds that they are not properly named Defendants;
3. BOP Director Samuels is **GRANTED** summary judgment on the basis of lack of personal involvement;
4. Summary judgment is **GRANTED** in favor of all remaining Defendants for failure of Plaintiff to exhaust administrative remedies;
5. The Clerk of Court is directed to **CLOSE** the case;
6. Any appeal from this Order will be deemed frivolous, without probable cause, and not taken in good faith.

**FILED
SCRANTON**

SEP 12 2013


 United States District Judge

PER 
 DEPUTY CLERK