

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

BEN WALKER,

Plaintiff,

v.

COURT OF COMMON PLEAS OF
MONROE COUNTY, *et al.*,

Defendants.

CIVIL ACTION NO. 3:12-CV-2206


(JUDGE CAPUTO)

(MAGISTRATE JUDGE CARLSON)

ORDER

NOW this 29th day of August, 2013, upon review of the Report and Recommendation of Magistrate Judge Carlson (Doc. 38) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 38) is **ADOPTED**.
- (2) Defendants' Motion to Dismiss for Failure to State a Claim (Doc. 35) is **GRANTED**.
- (3) The action is **DISMISSED WITH PREJUDICE**.
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge