

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SEAN DONAHUE, Plaintiff
v. ED OLEXA, Defendant

CIVIL ACTION NO. 3:13-CV-1071
(Judge Nealon)
(Magistrate Judge Carlson)

FILED SCRANTON JUN 24 2013

PER [Signature] DEPUTY CLERK

ORDER

NOW, THIS 24th DAY OF JUNE, 2013, for the reasons set forth in the Memorandum issued this date, IT IS HEREBY ORDERED THAT:

- 1. The amended complaint, (Doc. 11), is DISMISSED for failure to state a claim pursuant to 28 U.S.C. § 1915(g);
2. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 9), is GRANTED;
3. Plaintiff's motions to appoint counsel, (Docs. 8, 13), are DENIED as moot;
4. The Clerk of Court is directed to CLOSE this case; and
5. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.

[Handwritten signature]

United States District Judge