

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

ALFRED ALONZO MAYO,

Plaintiff,

v.

SECRETARY JOHN WETZEL, et al.,

Defendants.

CIVIL ACTION NO. 13-CV-1174

(JUDGE CAPUTO)

(MAGISTRATE JUDGE  
CARLSON)

**ORDER**

NOW, this 26<sup>th</sup> day of June, 2015, upon review of the three (3) Report and Recommendations ("R & R") of Magistrate Judge Carlson (Docs. 48, 49, 50) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The R & R filed on May 27, 2015 (Doc. 48) is **ADOPTED**. Plaintiff's claims against Defendants Dimascio and McCallum are **DISMISSED** pursuant to 28 U.S.C. § 1915(e).
- (2) The R & R filed on May 28, 2015 (Doc. 49) is **ADOPTED**.
  - (A) Plaintiff's claims against Defendants Wetzel, Barnacle, Varner, Damore, Ellers, Williams, Lewis, Wilson and Degnan are **DISMISSED without prejudice** pursuant to 28 U.S.C. § 1915(e).
  - (B) Plaintiff is given leave to file an amended complaint within thirty (30) days from the date of entry of this order to address the identified defects. If Plaintiff fails to do so, his claims against Defendants named in (2)(A) will be **DISMISSED with prejudice**.
- (3) The R & R filed on May 29, 2015 (Doc. 50) is **ADOPTED**.
  - (A) Defendant Koza's Motion to Dismiss (Doc. 33) is **GRANTED**.
  - (B) Plaintiff's claims against Defendant Koza are **DISMISSED** for failure to prosecute and for failure to state a claim.
- (4) This matter is **RECOMMENDED** to Magistrate Judge Carlson for further proceedings.

**FILED  
SCRANTON**

JUN 26 2015

Per

KJC  
**DEPUTY CLERK**

  
A. Richard Caputo  
United States District Judge