

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SEAN M. DONAHUE, Plaintiff v. LUZERNE COUNTY CORRECTIONAL FACILITY, ET AL., Defendants CIVIL ACTION NO. 3:13-CV-1277 (JUDGE NEALON) (MAGISTRATE JUDGE BLEWITT)

ORDER

NOW, THIS 30th DAY OF JULY, 2013, for the reasons set forth in the Memorandum issued this date, IT IS HEREBY ORDERED THAT:

- 1. The Report and Recommendation, (Doc. 8), is ADOPTED; A. The Complaint, (Doc. 1), is DISMISSED with prejudice; B. Plaintiff's motion for leave to proceed in forma pauperis, (Doc. 3), is GRANTED for the sole purpose of filing this action; 2. Plaintiff's motion to appoint counsel, (Doc. 9), is DENIED; 3. The Clerk of Court is directed to CLOSE this case; and 4. Any appeal will be deemed frivolous, lacking merit, and not taken in good faith.

[Handwritten Signature] United States District Judge