

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

RICHARD LAW,

Plaintiff,

v.

CORRECTIONAL CARE, INC.,
DR. EDWARD ZALOGA, and
ANTHONY IANNUZZI,

Defendants.

CIVIL ACTION NO. 3:13-CV-2407

(JUDGE KOSIK)

FILED
SCRANTON

MAY - 2 2014

PER 
DEPUTY CLERK

ORDER

AND NOW, THIS 2nd DAY OF MAY, 2014, IT APPEARING TO THE
COURT THAT:

(1) Plaintiff, Richard Law, a former inmate at the Lackawanna County Correctional Facility, Scranton, Pennsylvania, filed the instant civil rights action pursuant 42 U.S.C. § 1983 on September 18, 2013. An Amended Complaint was filed on November 5, 2013 (Doc. 6);

(2) In his filings, Plaintiff alleges violations of his civil rights in relation to his medical treatment while confined at Lackawanna County Correctional Facility;

(3) The action was assigned to Magistrate Judge Martin C. Carlson for Report and Recommendation;

(4) On April 10, 2014, the Magistrate Judge issued a Report and Recommendation (Doc. 12) wherein he recommended that the Defendants' partial Motion to Dismiss the Amended Complaint (Doc. 7) should be denied;

(5) Specifically, the Magistrate Judge found that the Plaintiff's pending state law tort claims were adequately pleaded and the motion to dismiss should be denied;

(6) No timely objections have been filed to the Magistrate Judge's Report and Recommendation.

AND, IT FURTHER APPEARING THAT:

(7) If no objections are filed to a Magistrate Judge's Report and Recommendation, the plaintiff is not statutorily entitled to a de novo review of his claims. 28 U.S.C. § 636(b)(1)(C); Thomas v. Arn, 474 U.S. 140, 150-53 (1985). Nonetheless, the usual practice of the district court is to give "reasoned consideration" to a magistrate judge's report prior to adopting it. Henderson v. Carlson, 812 F. 2d 874, 878 (3d Cir. 1987).

(8) We have considered the Magistrate Judge's Report and we concur with his recommendation.

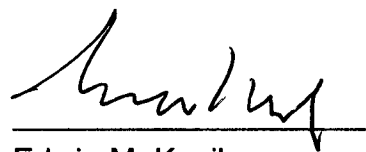
(9) Moreover, on May 1, 2014, Defendants filed an Answer to the Amended Complaint (Doc. 13);

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

(1) The Report and Recommendation of Magistrate Martin C. Carlson dated April 10, 2014 (Doc. 12) is **ADOPTED**;

(2) The Defendants' Partial Motion to Dismiss the Amended Complaint (Doc. 7) is **DENIED**; and

(3) The Clerk of Court is directed to **REMAND** this case to the Magistrate Judge for further proceedings.



Edwin M. Kosik
United States District Judge