

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

ANDREW OSTROWSKI,

Plaintiff,

v.

FRANK D'ANDREA, *et al.*,

Defendants.

NO. 3:14-CV-0429

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SAPORITO)

ORDER

NOW, this 12th day of September, 2017, upon review of the Report and Recommendation of Magistrate Judge Joseph F. Saporito, Jr. (Doc. 35) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 35) is **ADOPTED in its entirety**.
- (2) Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint (Doc. 30) is **GRANTED in part**.
- (3) Plaintiff's Hatch Act and 42 U.S.C. § 1983 claims are **DISMISSED with prejudice**.
- (4) Plaintiff's state-law defamation claim is claim is **DISMISSED without prejudice**.
- (5) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge