

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

JOHN A. GASS,	:	
Plaintiff	:	CIVIL ACTION NO. 3:14-1056
v.	:	(MANNION, D.J.) (SCHWAB, M.J.)
WARDEN RICHARD C. SMITH, <u>et al.</u>,	:	
Defendants	:	

ORDER

In light of the memorandum issued in the above-captioned matter, **IT IS**

HEREBY ORDERED THAT:

- (1) the report and recommendation of Judge Schwab, (**Doc. [25](#)**), is **ADOPTED IN ITS ENTIRETY**;
- (2) the motion for a temporary restraining order filed by plaintiff John A. Gass, (**Doc. [11](#)**), is **DENIED** for failure to show that he is entitled to relief;
- (3) the case is **REMANDED** to Judge Schwab for further proceedings.

s/ Malachy E. Mannion _____

MALACHY E. MANNION
United States District Judge

Date: October 15, 2014

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