

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

JOHN SIMPSON,

Plaintiff

v.

LUZERNE COUNTY  
CORRECTIONAL FACILITY,

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CIVIL NO. 3:15-CV-0989

(Judge Munley)



ORDER

AND NOW, to wit, this 17<sup>th</sup> day of July 2015, in accordance with the court's memorandum of the same date, it is hereby ORDERED that:

1. Plaintiff's applications to proceed *in forma pauperis* (Docs. 2, 6, 9) are construed as motions to proceed without full prepayment of fees and costs and are GRANTED.
2. Plaintiff's complaint is hereby DISMISSED without prejudice pursuant to 28 U.S.C. §1915(e)(2)(B)(ii).
3. If plaintiff can correct the deficiencies of his claim, he may FILE a proposed amended complaint, accompanied by a motion to reopen, on or before August 3, 2015.
4. Any proposed amended complaint shall contain the same case number that is already assigned to this action (3:15-CV-0989) and shall be direct, concise, and shall stand alone without reference to any other document filed in this matter. See FED. R. CIV. P. 8(e).
5. Plaintiff's motion (Doc. 11) to appoint counsel is DENIED.

6. The Clerk of Court is directed to CLOSE this case.

**BY THE COURT:**

**s/James M. Munley**  
**JUDGE JAMES M. MUNLEY**  
**United States District Court**