

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

DARREN RICHARDSON,

Plaintiff,

v.

PRISONER TRANSPORT SERVICES OF
AMERICA, *et al.*,

Defendants.

CIVIL ACTION NO. 3:CV-15-1061

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SAPORITO)

ORDER

NOW, this 17th day of December, 2015, upon review of the Report and Recommendation of Magistrate Judge Joseph F. Saporito (Doc. 30) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report & Recommendation (Doc.30) is **ADOPTED in its entirety**;
- (2) Pike County Defendants' Motion to Dismiss (Doc. 11) is **GRANTED in part and DENIED in part**;
 - (a) Plaintiff's claims against official-capacity defendants Pike County Board of Commissioners, Richard Caridi, Matther M. Osterbert, Karl Wagner, Craig A. Lowe, Jonathan J. Romance, and Robert McLaughlin are **DISMISSED** and these defendants are **TERMINATED** from the case;
 - (b) Plaintiff's claims against Pike County for punitive damages are **DISMISSED**;
 - (c) Plaintiff's claim against Pike County for state law negligence is **DISMISSED**;
 - (d) Plaintiff's remaining claims will proceed.
- (3) The matter is **REMANDED** to Magistrate Judge Joseph F. Saporito for further proceedings.



A. Richard Caputo
United States District Judge