

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

JOHN A. PINO,	:	
Plaintiff	:	CIVIL ACTION NO. 3:15-1172
v.	:	(MANNION, D.J.) (CARLSON, M.J.)
MICHAEL CAREY, et al.,	:	
Defendants	:	

ORDER

As set forth in the memorandum issued this same day, **IT IS HEREBY**

ORDERED THAT:

- (1) Judge Carlson's report and recommendation, (Doc. [59](#)), is **ADOPTED** in its entirety;
- (2) the motion for summary judgment of defendants Allar and Kyper, (Doc. [45](#)), regarding the claims against them raised in the plaintiff's amended complaint, (Doc. [9](#)), is **GRANTED**;
- (3) the Clerk is directed to enter **JUDGMENT** in favor of defendants Allar and Kyper, and against plaintiff;
- (4) Judge Carlson's report and recommendation, (Doc. [60](#)), regarding plaintiff's motion to amend his pleading is **ADOPTED** in its entirety;

- (5) plaintiff's motion for leave to file a second amended complaint, (Doc. [58](#)), is **DENIED**; and
- (6) the case is **RECOMMITTED** to Judge Carlson for consideration of the summary judgment motion, (Doc. [41](#)), of remaining defendant Carey.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

Dated: April 28, 2017

O:\Mannion\shared\MEMORANDA - DJ\CIVIL MEMORANDA\2015 MEMORANDA\15-1172-03-ORDER.wpd