

**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. [69](#)), is **ADOPTED** in its entirety;
- (2) the motion for summary judgment of defendant Carey, (Doc. [41](#)), regarding the excessive force claim against him raised in the plaintiff's amended complaint, (Doc. [9](#)), is **GRANTED**;
- (3) plaintiff's objections to Judge Carlson's report, (Doc. 79), are **OVERRULED**;
- (4) the Clerk is directed to enter **JUDGMENT** in favor of defendant Carey, and against plaintiff Pino; and

(5) the Clerk is also directed to **CLOSE** this case.

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

**Dated: December 8, 2017**

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