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

JAMES ROWE,

Civil No. 3:15-cv-2449

Plaintiff

(Judge Mariani)

٧.

FILED SCRANTON

JOHN W. KERESTES, et al.,

Defendants

JUL 0 1 2016

<u>ORDER</u>

AND NOW, this ______ day July, 2016, upon consideration of the proposed amended complaint, and for the reasons set forth in the Court's Memorandum of the same date, IT IS HEREBY ORDERED THAT:

- 1. The proposed amended complaint (Doc. 16) is **DISMISSED** without prejudice.
- 2. The Clerk of Court is directed to **CLOSE** this action.
- 3. Any appeal from this Order is **DEEMED** frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

Robert D. Mariani

United States District Judge