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

JONATHAN SMITH,

Plaintiff,

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NO. 3:16-CV-0741

(JUDGE CAPUTO)

CPL. LOURIERO, et al.,

Defendants.

(MAGISTRATE JUDGE SAPORITO)

ORDER

NOW, this <u>1</u> day of July, 2017, upon review of the Report and Recommendation of Magistrate Judge Saporito (Doc. 32) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 32) is ADOPTED in its entirety.
- (2) Defendants' motions to dismiss (Docs. 20 & 23) are GRANTED in that:
 - A. Plaintiff's federal law claims are **DISMISSED with prejudice**; and
 - B. Plaintiff's state law claims are **DISMISSED without prejudice**.
- (3) The Clerk of Court is directed to mark the case as CLOSED.

A. Richard Caputo United States District Judge