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

JOHN WALSH, III,

Plaintiff,

NO. 3:16-cv-1148

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(JUDGE CAPUTO)

JOHN KUTHKOWSKI, et al.,

(MAGISTRATE JUDGE CARLSON)

Defendants.

ORDER

NOW, this ________ day of September, 2016, upon review of the Report and Recommendation of Magistrate Judge Carlson (Doc. 10) for plain error or manifest injustice, IT IS HEREBY ORDERED that:

- (1) The Report and Recommendation (Doc. 10) is **ADOPTED in part and REJECTED in part**.
- (2) Plaintiff's Complaint (Doc. 1) is **DISMISSED with prejudice**.
- (3) An order to show cause is **NOT ISSUED**.
- (4) The Clerk of Court is directed to mark the case as CLOSED.

A. Richard Caputo

United States District Judge