

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

JAMES HARMAN,	:	
	:	
Plaintiff	:	CIVIL ACTION NO. 3:17-0135
	:	
v.	:	(MANNION, J.)
	:	
KATRINA TOBASH and BB&T BANK,	:	(CARLSON, M.J.)
	:	
Defendants	:	
	:	

ORDER

In accordance with the memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

- (1) the report of Judge Carlson recommending that the plaintiff's motion for summary judgment be dismissed without prejudice, **(Doc. 9)**, is **ADOPTED IN ITS ENTIRETY**;
- (2) the plaintiff's motion for summary judgment, **(Doc. 7)**, is **DISMISSED WITHOUT PREJUDICE**; and
- (3) the instant action is **REMANDED** to Judge Carlson for further proceedings.

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

Date: March 31, 2017

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