

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

FRANCIS PERFILIO, :
 : CIVIL ACTION NO. 3:17-1132
 Plaintiff :
 : (JUDGE MANNION)
 v. :
 :
 RALPH DEL RUSSO, :
 :
 Defendant :

ORDER

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

- (1) The report of Judge Saporito, (**Doc. 10**), is **ADOPTED IN ITS ENTIRETY.**
- (2) The plaintiff's letter of August 28, 2017, is construed as a notice of voluntary dismissal pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i) and the instant action is **DISMISSED WITHOUT PREJUDICE.**
- (3) The defendant's motion to quash, (**Doc. 7**), is **DISMISSED AS MOOT.**

(4) The Clerk of Court is directed to **CLOSE THIS CASE.**

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

Date: October 12, 2017

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