

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SPARKLES WILSON a/k/a
STEVEN FRITZ,

Plaintiff,

v.

LACKAWANNA COUNTY, et al,

Defendants.

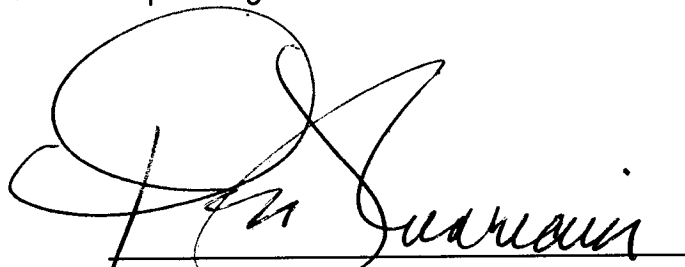
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(JUDGE MARIANI)

ORDER

AND NOW, THIS 10TH DAY OF JULY, 2018, upon review of Magistrate Judge
Carlson's Report and Recommendation ("R&R") (Doc. 46) for clear error or manifest
injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 46) is **ADOPTED** for the reasons set forth therein.
2. The "Rule 12(b)(6) Motion on Behalf of Defendants, Warden Tim Betti and Deputy
Warden Brian Langan" (Doc. 29) is **GRANTED AS FOLLOWS:** Count V of Plaintiff's
Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE** subject to this Court's
Order (Doc. 45) limiting the time to amend pleadings.



Robert D. Mariani
United States District Judge