

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

ROBERT JOHN ALTAVILLA,

Plaintiff,

v.

LARKSVILLE BOROUGH POLICE,
et al.,

Defendants.

NO. 3:17-CV-01588


(JUDGE CAPUTO)

(MAGISTRATE JUDGE MEHALCHICK)

ORDER

NOW, this 13th day of May, 2019, upon review of the Report and Recommendation (Doc. 41) of Magistrate Judge Karoline Mehalchick for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 41) is **ADOPTED**.
- (2) The Motion to Dismiss (Doc. 28) is **GRANTED**.
- (3) Plaintiff has **twenty-one (21) days** to file an amended complaint. Failure to timely file an amended complaint will result in the dismissal of this action **with prejudice**
- (4) The matter is **RECOMMITTED** to Magistrate Judge Mehalchick for further proceedings.



A. Richard Caputo
United States District Judge