

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

JERRY JOHN MASI,

Plaintiff,

v.

LUZERNE COUNTY CHILDREN &  
YOUTH SERVICES,

Defendant.

NO. 3:18-CV0822

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SAPORITO)

**ORDER**

**NOW**, this 15<sup>th</sup> day of June, 2018, upon review of the Report and Recommendation of Magistrate Judge Joseph F. Saporito, Jr. (Doc. 4) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 4) is **ADOPTED**.
- (2) The Complaint (Doc. 10) is **DISMISSED without prejudice** pursuant to Federal Rule of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction.
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo

A. Richard Caputo  
United States District Judge