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

JOHN TC YEH,	:	No. 3:18cv943
Plaintiff	:	(Judge Munley)
V.	:	(Magistrate Judge Carlson)
UNITED STATES BUREAU OF	:	
PRISONS; HUGH J. HURWITZ,	:	
Director of the BOP; J. RAY	:	
ORMOND, Regional Director of the	:	
BOP, Northeast Region; SCOTT	:	
FINLEY, Warden of FCI Schuylkill,	-	
Defendants	:	

<u>ORDER</u>

AND NOW, to wit, this 6th day of August 2019, it is hereby **ORDERED** as follows:

- 1) The report and recommendation of Magistrate Judge Carlson (Doc. 78) is **ADOPTED** in part and **NOT ADOPTED** in part;
- 2) The report and recommendation is adopted insofar as the defendants' motion for judgment on the pleadings (Doc. 59) is **DENIED** with respect to whether the plaintiff has a cause of action under the Rehabilitation Act;
- The report and recommendation is not adopted insofar as the defendants' motion for judgment on the pleadings (Doc. 59) is GRANTED with respect to mootness;

4) The Clerk of Court is directed to enter judgment in favor of the defendants

and against the plaintiff; and

5) The Clerk of Court is directed to close this case.

BY THE COURT:

<u>s/ James M. Munley</u> JUDGE JAMES M. MUNLEY United States District Judge