

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

JAMES ROCHE,

Plaintiff

v.

WARDEN MASON, *et al.*,

Defendants

: Civil No. 3:24-cv-270
:
: (Judge Mariani)
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ORDER

AND NOW, this 24th day of October, 2024, upon consideration of the proposed second amended complaint (Doc. 26), and for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED THAT:**

1. The proposed second amended complaint (Doc. 26) is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
2. The action against the John Doe Defendants is **DISMISSED** pursuant to Federal Rule of Civil Procedure 4(m).
3. The Clerk of Court is directed to **CLOSE** this case.
4. Any appeal from this Order is deemed frivolous and not in good faith. See 28 U.S.C. § 1915(a)(3).

Robert D. Mariani
United States District Judge