

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

<b>MICHAEL KROTZER</b>	:	<b>CIVIL ACTION NO. 4:12-CV-945</b>
	:	
<b>Plaintiff</b>	:	<b>(Chief Judge Kane)</b>
	:	
<b>v.</b>	:	<b>(Magistrate Judge Carlson)</b>
	:	
<b>OFFICER TROY FREEMAN, et al.</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

Before the Court in the above-captioned action is a September 5, 2012 report of the Magistrate Judge. No timely objections have been filed.

**AND NOW**, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1) The Court adopts the Report and Recommendation of Magistrate Judge Carlson.

2) The Plaintiff's complaint (Doc. No. 1) is dismissed without prejudice to any effort by the plaintiff to timely allege facts in an amended complaint which might state a claim upon which relief may be granted, provided that the plaintiff acts within 20 days of this dismissal order.

3) If Plaintiff does not file an amended complaint within 20 days of the date of this order, the Clerk of Court is directed to close the case.

4) If Plaintiff files an amended complaint within 20 days of the date of this order, all further proceedings in this matter are referred to Magistrate Judge Carlson.

S/ Yvette Kane  
YVETTE KANE, Chief Judge  
United States District Court  
Middle District of Pennsylvania

Dated: October 1, 2012