

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

LYNNE SWISHER,	:	Civil Action No. 4:13-CV-0166
	:	
Plaintiff,	:	(Judge Brann)
	:	
v.	:	
	:	
COLUMBIA COUNTY, <i>et. al.</i> ,	:	
	:	
	:	(Magistrate Judge Schwab)
Defendants.	:	

ORDER

January 29, 2014

BACKGROUND:

The undersigned has given full and independent consideration to the thorough and sound November 15, 2013 report and recommendation of Magistrate Judge Susan E. Schwab. In response to the report and recommendation, Swisher, through counsel, filed objections on December 4, 2013, to the recommended dismissal of her complaint. ECF No. 27. Magistrate Judge Schwab engaged in the correct analysis of the statute of limitations and Swisher's objections do not overcome the recommendation.

Because this Court agrees with Magistrate Judge Schwab's thoughtful analysis the Court will not rehash the sound reasoning of the magistrate judge and

will adopt the report and recommendation in its entirety. Swisher's federal claims pursuant to 42 U.S.C. § 1983 are dismissed with prejudice because the statute of limitations has run on her § 1983 claims. Swisher's claims brought pursuant to the Pennsylvania Human Relations Act are dismissed without prejudice so that Swisher may refile these claims in the Court of Common Pleas of Columbia County, Pennsylvania, if she so chooses to do so.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. United States Magistrate Judge Susan E. Schwab's Report and Recommendation is ADOPTED in full. November 15, 2013, ECF No. 23.
2. Defendants' Motion to Dismiss is GRANTED. May 21, 2013, ECF No. 18.
3. Counts I and IV are DISMISSED with prejudice.
4. Counts II and III DISMISSED without prejudice.
5. The clerk is directed to close the case file.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge