

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

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|---------------------|---|--------------------------------|
| JOSHUA LOOKINGBILL, | : | Civil Action No. 4:13-CV-01636 |
| | : | |
| Plaintiff, | : | (Judge Brann) |
| | : | |
| v. | : | |
| | : | |
| ANTHONY FETROW, | : | (Magistrate Judge Schwab) |
| | : | |
| | : | |
| Defendant. | : | |

ORDER
July 6, 2015

BACKGROUND:

The undersigned has given full and independent consideration to the June 2, 2015 report and recommendation of Magistrate Judge Susan E. Schwab recommending that Joshua Lookingbill's 42 U.S.C. § 1983 civil rights case be dismissed for failure to prosecute or, in the alternative, grant Defendant's motion to dismiss for failure to state a claim upon which relief can be granted. (ECF No. 38). No objections have been filed to the report and recommendation.

Because this Court agrees with Magistrate Judge Schwab's thorough analysis of the pertinent issues, the Court will not rehash the sound reasoning of the Magistrate Judge and will adopt the report and recommendation in its entirety.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. United States Magistrate Judge Susan E. Schwab's June 2, 2015 Report and Recommendation is **ADOPTED** in full. (ECF No. 38).
2. Petitioner Robert Hosby's Petition for a Writ of Habeas Corpus is **DISMISSED** for failure to prosecute.
3. The Clerk of Court is directed to **CLOSE** the case.

BY THE COURT:

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