

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

PATRICIA GADALETA,	:	Case No. 4:13-cv-01989
	:	
Plaintiff	:	(Brann, J.)
	:	
v.	:	(Mehalchick, M.J.)
	:	
HOUSER AUCTIONEERS, <u>et al.</u> ,	:	
	:	
Defendants.	:	

ORDER

July 10, 2014

On May 6, 2014, Magistrate Judge Karoline Mehalchick issued a Report and Recommendation (ECF No. 20) (hereinafter, the “R&R”) in which she advised the Court to dismiss plaintiff Gadaleta’s complaint for failure to state a claim upon which relief can be granted. See 28 U.S.C. 1915(e)(2)(B) (providing that complaints of persons proceeding in forma pauperis may be dismissed at any time for failure to state a claim). Gadaleta did not file objections, so the Court has reviewed the R&R for clear error and obvious non-conformity with well-established law. See Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987) (although Court is not required to review magistrate judge’s report absent objections, “the better practice is for the district judge to afford some level of

review to dispositive legal issues raised by the report”). The Court will adopt Magistrate Judge Mehalchick’s R&R.

NOW, THEREFORE, IT IS HEREBY ORDERED that the May 6, 2014 R&R (ECF No. 20) is ADOPTED. Gadaleta shall have the opportunity to AMEND her complaint as set forth in the R&R. Her motion for allowance of exhibits (March 10, 2014, ECF No. 17) is DENIED. This case is remanded to Magistrate Judge Mehalchick for further proceedings.

BY THE COURT:

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