

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

WALTER HYDE, <i>et al.</i> ,	:	NO. 4:16-CV-02486
	:	
Plaintiffs,	:	(Judge Brann)
	:	
THE SHAMOKIN SEWER	:	(Chief Magistrate Judge Schwab)
AUTHORITY,	:	
	:	
Defendant.	:	

ORDER

AUGUST 21, 2017

Before the Court for disposition is a Report and Recommendation filed by Chief Magistrate Judge Susan E. Schwab on July 17, 2017.¹ In this Report, Chief Magistrate Schwab recommended that (1) the case be dismissed for failure of Plaintiff to pay the required filing fee or file a properly completed application for leave to proceed *in forma pauperis*; and (2) the Clerk be directed to close this case.² No objections to this Report and Recommendation have since been filed.

Upon designation, a magistrate judge may “conduct hearings, including evidentiary hearings, and . . . submit to a judge of the court proposed findings of fact and recommendations.”³ Once filed, this Report and Recommendation is

¹ ECF No. 8.

² *Id.*

³ 28 U.S.C. 636(b)(1)(B).

disseminated to the parties in the case who then have the opportunity to file written objections.⁴ Where no objection is made to a report and recommendation, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”⁵ Nevertheless, whether timely objections are made or not, the district court may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate judge.⁶

Following independent review of the record, I am satisfied that the Report and Recommendation contains no clear facial error. The Court is in full agreement that, due to Plaintiff’s failure to pay the required filing fee or file a properly completed application for leave to proceed *in forma pauperis*, this case should be dismissed.

AND NOW, therefore, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Susan E. Schwab’s Report and Recommendation (ECF No. 8) is **ADOPTED IN ITS ENTIRETY**; and

⁴ 28 U.S.C. 636(b)(1).

⁵ *Rieder v. Apfel*, 115 F.Supp.2d 496, 499 (M.D.Pa. 2000) (citing *United States v. Raddatz*, 447 U.S. 667, 676 (1980)).

⁶ 28 U.S.C. § 636(b)(1); Local Rule 72.31.

2. The Clerk of Court is directed to close this case.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

United States District Judge