

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

DAVID RIOS,	:	
	:	
Plaintiff	:	
	:	
v.	:	CIVIL NO. 4:17-CV-671
	:	
DAUPHIN COUNTY PRISON,	:	(Judge Brann)
	:	
Defendant	:	

**ORDER**

MAY 16, 2017

In accordance with the accompanying Memorandum, **IT IS HEREBY**

**ORDERED** that:

1. Plaintiff's action is **DISMISSED WITHOUT PREJUDICE** as frivolous pursuant to 28 U.S.C. § 1915.
2. The Clerk of Court is directed to **CLOSE** the case.
3. Any appeal from this Order will be deemed frivolous, without probable cause and not taken in good faith.

BY THE COURT:

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