

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

NATHANIEL HILL,

Plaintiff.

v.

TPR. T.R. HAVENS, and TPR.  
BRANDON SHRAWDER,

Defendants.

No. 4:18-CV-00212

(Judge Brann)

(Magistrate Judge Carlson)

**ORDER**

**AND NOW**, this 29<sup>th</sup> day of March 2018, upon *de novo* review of Magistrate Judge Martin C. Carlson's Report and Recommendation (ECF No. 7),

**IT IS HEREBY ORDERED** that:

1. Magistrate Judge Martin C. Carlson's January 31, 2018 Report and Recommendation (ECF No. 7) is **ADOPTED** in part and **REJECTED** in part. The Report and Recommendation is adopted to the extent that it finds, pursuant to a preliminary review of this *pro se* complaint under 28 U.S.C. § 1915(e)(2)(B)(ii), that Plaintiff's original Complaint was subject to dismissal for failure to comply with Federal Rule of Civil Procedure 8. The Report is rejected, however, to the extent that it calls for dismissal of this action without prejudice. Such an action is not needed in the instant matter. I note specifically that, following the issuance of the Report and

Recommendation, Plaintiff filed an “Amended Complaint” correcting the deficiencies outlined with the Report and Recommendation.

2. This case is therefore **REMANDED** to Magistrate Judge Carlson for further proceedings.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

United States District Judge