

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

WILLIAM ALSTON,)	
)	
Plaintiff,)	
v.)	C.A. No. 05-168 Erie
)	
DEBRA FORSYTH, ET AL.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff’s civil rights complaint¹ was received by the Clerk of Court on May 27, 2005 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The Magistrate Judge's report and recommendation, filed on October 14, 2009 [69], recommends that the Defendants’ motion for summary judgment [64] be granted. The parties were allowed ten (10) days from the date of service to file objections. Plaintiff’s objections [70] were filed on October 22, 2009. On November 3, 2009, Plaintiff filed a supplement to his objections [71] and, the following day, Respondents filed their response to his objections [72].

After de novo review of the Complaint and the documents in the case, together with the Report and Recommendation, Plaintiff’s objections and supplement and Respondents’ response thereto, the following order is entered:

¹ Plaintiff asserts his claims pursuant to *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).

AND NOW, this 6th Day of January, 2010;

IT IS ORDERED that the Defendants' motion for summary judgment [64] be, and hereby is, GRANTED. SUMMARY JUDGMENT is hereby entered in favor of the Defendants and against the Plaintiff, William Harrison Alston.

The report and recommendation of Magistrate Judge Baxter dated October 14, 2009 [69] is adopted as the opinion of this Court.

s/ Sean J. McLaughlin

SEAN J. McLAUGHLIN
United States District Judge

cm: all parties of record.
U.S. Magistrate Judge Susan Paradise Baxter