

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

|  |   |                                   |
|--|---|-----------------------------------|
| COREY BRACEY,                            | ) |                                   |
|  | ) |                                   |
| Plaintiff,                               | ) | Civil Action No. 11-217E          |
|  | ) |                                   |
| v.                                       | ) | Judge Cathy Bissoon               |
|  | ) | Magistrate Judge Maureen P. Kelly |
| SECRETARY JEFFREY BEARD, <i>et al.</i> , | ) |                                   |
|  | ) |                                   |
| Defendants.                              | ) |                                   |

**MEMORANDUM ORDER**

This case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C, 72.D and 72.G of the Local Rules for Magistrates.

On July 15, 2014, the Magistrate Judge issued a Report and Recommendation (Doc. 138) recommending that the Motion for Summary Judgment filed by Defendants Beard, Meintel, Ellers, Gnall, Johnson, Coleman, Gates, Arnell, Zaken, Walker, Bustass, Berrier, Legget, Gallucci, Bryant, Hall, Woods, Hannah, Biser, Fisher, and Whietsel (collectively, “the Commonwealth Defendants”) (Doc. 114) and the Motion for Summary Judgment filed by Defendants Saavedra, Fonder, and MHM Correctional Services, Inc. (collectively, “the Medical Defendants”) (Doc. 118) be granted. Service of the Report and Recommendation was made on the parties, and Petitioner timely filed objections (Docs. 140 & 142). After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

The Motion for Summary Judgment filed by the Commonwealth Defendants (**Doc. 114**), and the Motion for Summary Judgment filed by the Medical Defendants (**Doc. 118**) are **GRANTED**, and the Report and Recommendation of Magistrate Judge Kelly dated July 15,

2014, is hereby adopted as the opinion of the District Court. To the extent Plaintiff asks the Court for permission to resurrect his previously denied motion for appointment of counsel, such request is denied.

IT IS SO ORDERED.

September 17, 2014

s/Cathy Bissoon  
Cathy Bissoon  
United States District Judge

cc (via ECF email notification):

All counsel of record

cc (via First-Class U.S. Mail):

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