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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
AT ERIE

PARIS L. JAMES, *Plaintiff*,	)	Civil Action No. 1:14-cv-00069-BR-SPB
v.	)	ORDER
DEBRA SAUERS, *et al.*, *Defendants*.	)	

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having considered the Report and Recommendation of Magistrate Judge Susan Paradise Baxter, and the balance of record, **HEREBY ORDERS**:

(1) The Court **ADOPTS** the Report and Recommendation, (Doc. No. 107);

(2) The Motion to Dismiss filed by Defendant Sherbine, (Doc. No. 97), is **GRANTED** as to the conspiracy and retaliation claims; and

(3) The Motion to Dismiss filed by Defendant Sherbine, (Doc. No. 97), is **DENIED** as to the Eighth Amendment claims.

IT IS SO ORDERED.

Dated: December 9, 2016

Barbara J. Rothstein
BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE

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