

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

MARLON JONES,

Plaintiff,

v.

ST. MARY’S/ELK REGIONAL
HOSPITAL, *et al.*,

Defendants.

Civil Action No. 1:15-cv-00089-BR-SPB

ORDER

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE

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

1. The Court **ADOPTS** the Report and Recommendation;
2. FCI Defendants’ Motion to Dismiss, or in the Alternative, for Summary Judgment (Doc. No. 32) is **GRANTED**;
3. Defendants St. Mary’s/Elk Regional Hospital and Kane Community Hospital are **DISMISSED** without prejudice;
4. Defendant Dr. Rudick’s Motion to Dismiss (Doc. No. 26) is **GRANTED**;
5. This case is **CLOSED**; and
6. The clerk shall send copies of this Order to the parties.

IT IS SO ORDERED.

DATED this 9th day of September, 2016



**BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE**