

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

DAVID V. JORDAN ,)	
)	
)	
<i>Plaintiff,</i>)	Civil Action No. 1:15-cv-313 (BJR)
)	
v.)	
)	ORDER
)	
UNIT MANAGER BERTOLINI, <i>et al.</i>)	
)	
<i>Defendants.</i>)	
)	
_____)	


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.
- (2) Defendants' Motion to Dismiss is **DENIED**.
- (3) The Clerk shall send copies of this Order to the parties.

IT IS SO ORDERED.

DATED this 2nd day of March, 2017.



BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT JUDGE