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

5     **MICHAEL A. LUNA,**                     )  
6                     **Plaintiff,**                     )     **Civil Action No. 18-147Erie**  
7                     )                             )  
8                     **v.**                             )     **District Judge Conti**  
9                     )                             )  
10    **JUDGE CARNEY, et al,**                 )     **Magistrate Judge Baxter**  
11                     **Defendant.**                 )

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**ORDER**

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AND NOW, this 21st day of August, 2018:

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IT IS HEREBY ORDERED that Plaintiff's motion to amend [ECF No. 6] is dismissed as futile.

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IT IS FURTHER ORDERED that this action is dismissed as legally frivolous pursuant to 28 U.S.C. § 1915(e). The Clerk of Court is directed to close this case. The Report and Recommendation of Magistrate Judge Susan Paradise Baxter, issued June 25, 2018, is hereby adopted as the opinion of this Court.

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/s/ Joy Flowers Conti  
JOY FLOWERS CONTI  
United States District Judge

cc:     MICHAEL A. LUNA  
          21841  
          Erie County Prison  
          1618 Ash Street  
          Erie, PA 16503