IN THE UNITED STATES DISTRICT COURT

FOR THE VESTERN DISTRICT OF PENNSYLVANIA

ORDERED THAT THE WITHIN MOTION IS DENIED.

Anthony Williams AY-6759

Plaintiff

GARY L. LANCASTER.

UNITED STATES DISTRICT JUDGE

T.

Lt. Fort, et,al.

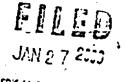
Civil Action No. 04-12

Judge Gary L. Lancaster

Mag. Judge Bissoon

Defendants

HOTION FOR RECONSIDERATION OF IT MEMORANDUM
ORDER DATED 12/29/08 and 1/15/09 THE
POLLOWING REASONS:



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- 1). Plaintiff filed a civil action complaint in the court on January 5th 2004 against Defendants Department of Corrections Officials for violating of his Constitutional Rights while he was incarcerated at SCI-Pittsburgh, however of on October 12, 2007, he was transferred to SCI-Smithfield.
- 2). On 1/5/04 Clerk of Court referred Plaintiff pro se case to United States Magistrate Judge Francis X. Caiszza for pretrial proceedings in accordance with Magistrates Act, 28 U.S.C. \$636 (b)(1) and rule 72.1.3 and 72.1.4 of the Jacal-rules for Magistrates.
- 3). The case was dismissed for failure to prosecute but was remanded to this Court by the Court of Appeals for the Third Circut. It was again assigned to Magistrate Judge Caiazza but was reassigned to Magistrate Judge Cathy Bissoon on August 1, 2008;
- 4). The Magistrate Judge Report and Recommendation, (Doc. 78) filed on November 3, 2008 recommended, that the parties motion to dismiss should be

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