

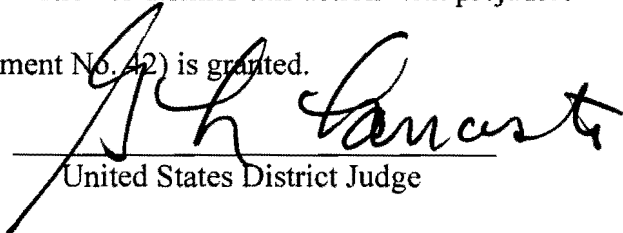
IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD E. DAY, JR., on behalf of his )  
minor children, Edward Day, Jr. and )  
Travis Day, )  
Plaintiff, )  
vs ) Civil Action No. 09-54  
GREENSBURG CENTRAL CATHOLIC, )  
Defendant. )

O R D E R

AND NOW, this 13<sup>th</sup> day of July, 2010, after the plaintiff filed a complaint in the above-captioned case, and after the defendant moved to dismiss the complaint with prejudice on grounds that the plaintiff's allegation of poverty contained in his application to proceed in forma pauperis was untrue, and after a Report and Recommendation was issued by the United States Magistrate Judge, and the parties were accorded a time period in which to file written objections thereto, and upon consideration of the objections filed by the plaintiff, as well as the defendant's response to those objections, and upon independent review of the pleadings, and the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of the Court,

IT IS ORDERED that the defendant's motion to dismiss this action with prejudice pursuant to 28 U.S.C. § 1915(e)(2)(A) (Document No. 42) is granted.

  
United States District Judge