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

THOMAS G. PARRY	)	
	)	
Plaintiff	)	
	)	
vs.	) Civil Action No. 10-1308	
	) Judge Terrence F. McVerry	
WESTMORELAND COUNTY, ERIC	) Chief U.S. Magistrate Judge Lisa Pupo Lenihan	
ZONAS; THOMAS GRACE; and,	)	
DEBRA ANN PEZZE,	)	
	)	
Defendants	) Re ECF Nos. 6 & 29	

MEMORANDUM ORDER

The above-captioned prisoner civil rights action was received by the Clerk of Court on October 7, 2007, and was ultimately referred to now Chief Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Civil Rules.

The Magistrate Judge's Report and Recommendation, ECF No. [6], filed on November 9, 2010, recommended that, pursuant to the Prison Litigation Reform Act, the case be dismissed as against Common Pleas Court Judge Debra Pezze, prior to being served, for failure to state a claim upon which relief could be granted. Service was made on the Plaintiff at his address of record. Plaintiff was informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.C.2 of the Local Civil Rules, he had until November 26, 2010 to file any objections. Plaintiff filed no objections.

After review of the pleadings and the documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 8th day of February, 2011;

IT IS HEREBY ORDERED that the Honorable Debra Pezze is dismissed as a party defendant from this case pursuant to the screening provisions of the PLRA.

IT IS FURTHER ORDERED that the Report and Recommendation, ECF No. [6] filed on November 9, 2010, by Chief Magistrate Judge Lisa Pupo Lenihan, is adopted as the opinion of the Court.

s/ Terrence F. McVerry
Terrence F. McVerry
U.S. District Judge

Dated: February 8, 2011

cc: The Honorable Lisa Pupo Lenihan
        Chief United States Magistrate Judge

        Thomas G. Parry
        JN-2161
        SCI Mahoney
        301 Morea Road
        Frackville, PA 17931

        All Counsel of Record via CM-ECF