

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

DION A. TEMPLE,)	
)	
Plaintiff,)	Civil Action No. 12-1477
)	
v.)	Judge Cathy Bissoon
VITO P. GEROULO, <i>et al.</i> ,)	Magistrate Judge Maureen P. Kelly
)	
Defendants.)	

MEMORANDUM ORDER

On December 13, 2012, this case was referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.C and 72.D of the Local Rules for Magistrates.

On December 17, 2012, the magistrate judge issued a Report (Doc. 10) recommending that this case be dismissed, under the screening provisions of the Prison Litigation Reform Act, for failure to state a claim upon which relief may be granted. Service of the Report and Recommendation was made on Plaintiff, and no objections have been filed.

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

This case is **DISMISSED** under 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted. The Report and Recommendation of Magistrate Judge Kelly dated December 17, 2012 is hereby adopted as the opinion of the District Court.

February 13, 2013

s\Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via first-class U.S. mail):

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