

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

CHARLES WHITNEY,	)	Civil Action No. 2: 12-cv-01623
	)	
Plaintiff,	)	Chief United States District Judge
	)	Joy Flowers Conti
v.	)	
	)	
JOHN E. WETZEL, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

**AND NOW**, this 12th day of August, 2015, it is hereby **ORDERED, ADJUDGED AND DECREED** that for the reasons set forth in the accompanying memorandum opinion Defendants' Motion for Summary Judgment (ECF No. 73) is **GRANTED** and Plaintiff's Motion for Partial Summary Judgment (ECF No. 77) is **DENIED**.

It is further **ORDERED** that the Report and Recommendation (ECF No. 102) dated July 6, 2015, is **ADOPTED**, as the opinion of the Court, as supplemented by the memorandum opinion accompanying this order.

BY THE COURT:

/s/ Joy Flowers Conti  
Joy Flowers Conti  
Chief, United States District Judge

cc: CHARLES WHITNEY  
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Yana L. Warshafsky  
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(via ECF electronic notification)