

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

CHRISTOPHER O'BRIEN,	)	
	)	
Plaintiff,	)	Civil Action No. 2: 13-cv-0299
	)	
v.	)	District Judge Mark R. Hornak
	)	
BUTLER COUNTY PRISON;	)	Magistrate Judge Cynthia Reed
PROPRIETORS OF BUTLER COUNTY	)	Eddy
PRISON; BUTLER COUNTY; WARDEN	)	
RICK SHAFFER (individual capacity),	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

On January 31, 2013, Plaintiff, Christopher O'Brien, a former inmate of the Butler County Prison, filed the instant civil rights complaint in the Court of Common Pleas of Butler County alleging that Defendants had violated his constitutional rights under the First, Fourth, Fifth, Eighth, and Fourteenth Amendments to the United States Constitution. Plaintiff also alleges that Defendants have violated the "Religious Freedom Act."

On March 1, 2013, Defendants timely removed the case to the United States District Court for the Western District of Pennsylvania.

On June 24, 2013, the Magistrate Judge filed a Report and Recommendation (ECF No. 7) recommending that the Motion to Dismiss filed by Butler County Prison, the Proprietors of Butler County Prison, Butler County and Warden Rick Shaffer be granted. Plaintiff was served with the Report and Recommendation at his listed address and was advised that he had until July 11, 2013 to file written objections to the Report and Recommendation. To date, no objections have been filed.

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

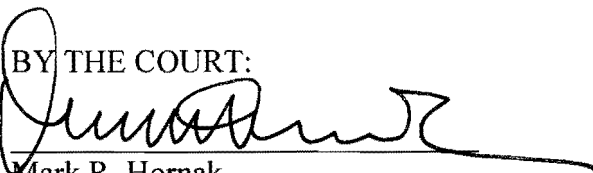
AND NOW, this 25<sup>th</sup> day of July, 2013;

**IT IS HEREBY ORDERED** that the Motion to Dismiss filed by Defendants (Butler County Prison, the Proprietors of Butler County Prison, Butler County and Warden Rick Shaffer ECF No. 2) is **GRANTED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF. No. 7) dated June 24, 2013, is **ADOPTED** as the Opinion of the Court.

**IT IS FURTHER ORDERED** that the Clerk of Court mark this case **CLOSED**.

**AND IT IS FURTHER ORDERED** that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.

BY THE COURT:  
  
Mark R. Hornak  
United States District Judge

cc: CHRISTOPHER O'BRIEN  
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Saxonburg, PA 16056

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