

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

JASON C. SHEPPARD,

Plaintiff,

v.

BRENDAN T. CONWAY and GARY EVAN  
GERSON,

Defendants.

2:15cv1589

Electronic Mail

Judge David Stewart Cercone/

Chief Magistrate Judge Maureen P. Kelly

**ORDER**

The above-captioned prisoner civil rights Complaint (the “Complaint”) was received by the Clerk of Court on December 4, 2015, and was referred to Chief United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules of Court, regarding Magistrate Judges.

The Chief Magistrate Judge's Report and Recommendation (the “Report”), ECF No. 6, filed on February 17, 2016, recommended that Plaintiff's Complaint be dismissed for failure to state a claim upon which relief can be granted pursuant to the screening provisions of the Prison Litigation Reform Act (“PLRA”). Service was made on Plaintiff at his address of record at the jail. Plaintiff was given until March 7, 2016 to file Objections. On February 22, 2016, the Report was returned to the Court with an indication that Plaintiff had been released and there was no forwarding address. On March 8, 2016, Plaintiff filed a notice of change of address. ECF No. 7. The Court sua sponte granted Plaintiff an extension of time to file his Objections to the Report as well as sending the Report to his new address. Plaintiff was given until April 11, 2016 to file his Objections. No Objections were filed.

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

AND NOW, this 21 day of April, 2016;

**IT IS HEREBY ORDERED** that the Complaint is dismissed pursuant to the Prison Litigation Reform Act for failure to state a claim upon which relief can be granted.

**IT IS FURTHER ORDERED** that the Report and Recommendation, ECF No. 6, filed on February 17, 2016, by Chief Magistrate Judge Kelly, is adopted as the opinion of the Court. Any amendment of the Complaint would be futile. The Clerk is to mark the case CLOSED.



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David Stewart Cercone  
United States District Judge

cc: The Honorable Maureen P. Kelly  
Chief United States Magistrate Judge

Jason C. Sheppard  
1665 New Haven Avenue  
Pittsburgh, PA 15216  
(Via first class mail)