

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

Dwayne Thompson, individually, and on behalf of his minor daughter "RMT" and Pamela McDeavitt,)	2:16cv1100 Electronic Filing
)	
Plaintiffs,)	
)	District Judge Cercone
v.)	Magistrate Judge Lenihan
)	
Kathryn M. Hens-Greco; Kimberly Berkeley Clark, Krista Abram; Shane Mock; Jonathan Voelker; Pernille Frankmar; Voelker & Colton, LLC; Lauren Darbouze; Reserve Township Police; Brian Tully; Fred Boory Jr; Pittsburgh Municipal Court; Barbara Clements; Allegheny County; Patrick Quinn; Christopher Connors; Geraldine M. Redic; Claire Capristo; Allegheny County Sheriff's Department; Anthony Fratto; Holly Zemba; Allegheny County Department of Court Records; Allegheny County Office of Children and Youth Services; Bruce Noel; Brynn Alpee; McKeesport Area School District; Fifth Judicial District; and John and Jane Does, 1-10,)	ECF Nos. 85, 126
)	
Defendants.)	

MEMORANDUM ORDER

This civil action was commenced on July 25, 2016 when Plaintiff Dwayne Thompson filed a Motion for Leave to Proceed in Forma Pauperis. (ECF No. 1.) That motion was granted and the Complaint (ECF No. 2) was docketed on July 26, 2016. The case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and Local Rules of Court 72.C and 72.D.

The Magistrate Judge's Report and Recommendation (ECF No. 126), filed on July 10, 2017, recommended that the Motion to Dismiss (ECF No. 85) filed by Defendants Fred Boory,

Jr., Brian Tully, and Reserve Township Police Department be granted, and that Plaintiff McDeavitt be terminated as a party for lack of standing. Service was made on Plaintiffs via first class mail to their addresses of record. The parties were informed that in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.D.2 of the Local Rules of Court, that they had fourteen (14) days to file any objections, and that unregistered ECF users were given an additional three (3) days pursuant to Federal Rule of Civil Procedure 6(d). No objections have been filed.

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

AND NOW, this 2nd day of August, 2017,

IT IS HEREBY ORDERED that the Motion to Dismiss (ECF No. 85) filed by Defendants Fred Boory, Jr., Brian Tully, and Reserve Township Police Department is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff McDeavitt is terminated as a party for lack of standing.

IT IS FURTHER ORDERED that the Report and Recommendation (ECF No. 126) of Magistrate Judge Lenihan, dated July 10, 2017, is adopted as the opinion of the Court.

s/ DAVID STEWART CERCOME
David Stewart Cercone
United States District Judge

cc: Dwayne Thompson
1013 Coal Street
Pittsburgh, PA 15221

Pamela McDeavitt
104 Dorf Avenue
Pittsburgh, PA 15209

(Via First Class Mail)

Caroline Liebenguth, Esquire
Dennis J. Roman, Esquire
Charlene S. Seibert, Esquire
Timothy R. Stienstraw, Esquire
Lauren D. Darbouze, Esquire
Ashley N. Rodgers, Esquire
Daniel R. Bentz, Esquire
Benjamin T.S. Trodden, Esquire
Lisa G. Michel, Esquire
Anthony G. Sanchez, Esquire

(Via CM/ECF Electronic Mail)