

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

| | | |
|-------------------------------|---|--------------------------------|
| JOHN SLOAN, |) | |
| |) | Civil Action No. 2: 16-cv-1182 |
| Plaintiff, |) | |
| |) | United States District Judge |
| v. |) | Nora Barry Fischer |
| |) | |
| PA DEPT. OF CORRECTIONS, SCI- |) | |
| MERCER, SUPERINTENDENT |) | |
| THOMPSON, CAPT. SULLENBERGER, |) | |
| MR. BOGGS, MR. BROMLEY, |) | |
| MR. DELLORSO, MS. BOAL, MR. |) | |
| WOODS, MS. ENGSTROM, CORRECT |) | |
| CARE SOLUTIONS, |) | |
| MR. RICHARD ELLERS, DR. SCOTT |) | |
| SCOTT MORGAN, AND MS. KAREN |) | |
| FEATHER, |) | |
| |) | |
| Defendants. |) | |

ORDER

AND NOW, this 17th day of December, 2018, for the reasons set forth in the accompanying Memorandum Opinion it is hereby **ORDERED, ADJUDGED, AND DECREED** as follows:

(1) The Report and Recommendation (ECF No. 109) filed on October 25, 2018, by Magistrate Judge Cynthia Reed Eddy is **ADOPTED** as the opinion of the Court. It is **ORDERED** that the Motion for Summary Judgment filed by the DOC Defendants (ECF No. 93) is **GRANTED** in its entirety based on Plaintiff's failure to exhaust his administrative remedies.

(2) The Report and Recommendation (ECF No. 110) filed on October 25, 2018, by Magistrate Judge Cynthia Reed Eddy is **ADOPTED** as the opinion of the Court. It is

ORDERED that the Motion for Summary Judgment filed by the Medical Defendants (ECF No. 97) is **GRANTED** as to Plaintiff's constitutional claims.

(3) It is further **ORDERED** that Plaintiff's state law claims brought against the Medical Defendants are dismissed without prejudice for want of jurisdiction.

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 Appellate Rules of Appellate Procedure.

BY THE COURT:

s/Nora Barry Fischer
Nora Barry Fischer
United States District Judge

cc: JOHN SLOAN
KH 0937
SCI Mercer
801 Butler Pike
Mercer, PA 16137
(via U.S. First Class Mail)

All Counsel of Record
(via ECF electronic notification)