

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

NORMAN F. HARVEY,)	
)	
Plaintiff,)	Civil Action No. 17-49
)	Judge David Stewart Cercone
v.)	Chief Magistrate Judge Maureen P. Kelly
)	
COMMONWEALTH OF PENNSYLVANIA)	
DEPARTMENT OF CORRECTIONS,)	
WILLIAM SHOUPPE, MARK CAPOZZA,)	
TAMMY FERGUSON, MR. STESSNEY,)	
JAMES KELLY, and AMY WOOD,)	
)	
Defendants.)	

ORDER OF COURT

After Plaintiff Norman F. Harvey filed an amended complaint in the above-captioned matter, Defendant William Shouppe filed a Motion to Dismiss. ECF No. 47. On June 11, 2018, Chief United States Magistrate Judge Maureen P. Kelly filed a Report and Recommendation for the granting of the Motion to Dismiss. ECF No. 53. The parties were given until June 28, 2018, to file written objections thereto. No Objections having been filed, and upon independent review of the record and consideration of the Magistrate Judge’s Report and Recommendation, which is ADOPTED as the opinion of this Court,

IT IS HEREBY ORDERED this 9th day of July, 2018, that the Motion to Dismiss, ECF No. 47, is GRANTED. The Clerk of Court shall mark this CASE CLOSED.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.



David Stewart Cercone
Senior United States District Judge

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

Norman F. Harvey
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P. O. Box 901
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(Via First Class Mail)

Marie Milie Jones, Esquire
Michael R. Lettrich, Esquire
(Via CM/ECF Electronic Mail)