

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

MEMORANDUM ORDER

This case was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On June 22, 2017, the Magistrate Judge issued a Report (Doc. 16) recommending that Defendant Cowden's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b) (Doc. 5) be granted, and that Defendant Cowden be dismissed from this action. Service of the Report and Recommendation was made on the parties. On July 12, 2017, Plaintiff filed objections to the Report and Recommendation. (Doc. 17). On July 26, 2017, Defendant Cowden filed a Response to Plaintiff's objections. (Doc. 19).

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections thereto, the following Order is entered:

Defendant Cowden's motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6) is GRANTED. The Magistrate Judge's Report and Recommendation dated June 22, 2017, hereby is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

July 27, 2017

s/Cathy Bissoon

Cathy Bissoon

United States District Judge

cc (via ECF email notification):

All counsel of record

cc (via First-Class U.S. Mail):

WILLIAM MAYO
FZ-2947
SCI Fayette
P.O. Box 9999
LaBelle, PA 15450