

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

NATHAN HOYE, )  
Plaintiff, ) Civil Action No. 2: 17-cv-0452  
v. )  
SCI CAMP HILL, et al., ) United States District Judge  
Defendants. ) Nora Barry Fischer  
 )  
 )  
 )

## **MEMORANDUM ORDER**

The above captioned case was initiated on April 10, 2017, and was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and the local rules of court. The motion to proceed *in forma pauperis* was granted on April 13, 2017 (ECF No. 2) and the complaint was filed the next day. (ECF No. 4).

On April 13, 2017, the Magistrate Judge filed a Report and Recommendation (ECF No. 3) recommending that the Complaint be dismissed with prejudice in accordance with the screening provisions promulgated in the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2) and 28 U.S.C. § 1915A for failure to state a claim upon which relief can be granted. The Report and Recommendation was mailed to Plaintiff at his listed address of record and he was advised that he had until May 1, 2017, to file written objections to the Report and Recommendation. To date, no objections have been filed nor has Plaintiff sought an extension in time in which to do so.

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

**AND NOW**, this 8th day of May, 2017:

**IT IS ORDERED** that the Complaint is **DISMISSED** with prejudice in accordance with the screening provisions promulgated in the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and 28 U.S.C. § 1915A for failure to state a claim upon which relief can be granted and it would be futile to allow Plaintiff the opportunity to amend.

**IT IS FURTHER ORDERED** that the Report and Recommendation (ECF No. 3) dated April 13, 2017, is **ADOPTED** as the Opinion of the Court.

**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 Federal Rules of Appellate Procedure.

BY THE COURT:

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

cc: NATHAN HOYE  
LZ-6846  
SCI Huntingdon  
1100 Pike Street  
Huntingdon, PA 16654