

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

EBONY R. MITCHELL,)
Plaintiff,)
) C.A. No. 17-541
)
v.)
)
ALONZO MITCHELL, et al.,)
Defendants.)

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on April 26, 2017, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. §636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The magistrate judge's report and recommendation, filed on July 10, 2017, recommended that the action be dismissed, with prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for Plaintiff's failure to state a claim upon which relief may be granted. (Docket No. [9]). Service was made by ECF. Objections to the report and recommendation for ECF users were due by July 24, 2017, and objections to the report and recommendation for unregistered ECF users were due by July 27, 2017. On July 25, 2017, Plaintiff filed an Amended Complaint. (Docket No. [10]). Plaintiff has not filed any objections to the report and recommendation. After de novo review of the Complaint; the Amended Complaint, which does not cure the deficiencies that Magistrate Judge Lenihan addressed; 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 this action is dismissed, with prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The report and recommendation of Magistrate Judge Lenihan, (Docket No. [9]), is adopted as the opinion of the Court.

s/Nora Barry Fischer
NORA BARRY FISCHER
United States District Judge

cc/ecf: Lisa Pupo Lenihan
U.S. Magistrate Judge

All parties of record

Ebony R. Mitchell
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