

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

JAMARKO S. BREWER,

Plaintiff,

vs.

SPECIALIZED PROFESSIONAL
SERVICES INC., (SPSI); AND
JOHN MITCHELL, OPERATIONS
MANAGER,

Defendants.

2:20-cv-00368-NR-CRE

MEMORANDUM ORDER

This is a *pro se* civil rights action, and Plaintiff Jamarko Brewer was granted leave to proceed *in forma pauperis* on April 1, 2020 [ECF 3]. This matter was referred to Chief Magistrate Judge Cynthia Reed Eddy for proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and the Local Rules of Court applicable to Magistrate Judges. Service has not been effected on the Defendants yet.

Currently before the Court is a Report & Recommendation [ECF 5] filed by Chief Magistrate Judge Eddy on April 6, 2020, recommending that: (1) Mr. Brewer's claims for "other personal injury," "Fair Labor Standards Act," "Labor/Management Relations," "other labor litigation," and "False Claims Act" be dismissed with prejudice as frivolous prior to service under 28 U.S.C. § 1915(e)(2); (2) Mr. Brewer's Title VII race discrimination and "assault/libel/slander" claims be permitted to proceed; and (3) Mr. Brewer be permitted to file an amended complaint to expand upon the Title VII race

discrimination and “assault/libel/slander” claims, only consistent with the Report & Recommendation.

Mr. Brewer was notified that, pursuant to 28 U.S.C. § 636(b)(1), objections to the Report & Recommendation were due by April 23, 2020 (for non-ECF users). No objections were filed.

Upon a *de novo* review of the record of this matter and the Report & Recommendation, the Court finds no clear error on the face of the record, and therefore enters the following order.

AND NOW, this **13th day of May, 2020**, it is **ORDERED** that the Report & Recommendation [ECF 5] is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that Mr. Brewer’s claims for “other personal injury,” “Fair Labor Standards Act,” “Labor/Management Relations,” “other labor litigation,” and “False Claims Act” are **DISMISSED WITH PREJUDICE**.

IT IS FURTHER ORDERED that Mr. Brewer must file an amended complaint, amending his claims for Title VII race discrimination and “assault/libel/slander” consistent with the Report & Recommendation, by **May 27, 2020**.

BY THE COURT:

/s/ J. Nicholas Ranjan

United States District Judge

Cc: Jamarko S. Brewer
398 Houston St.
Washington, PA 15301