

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

<p><b>KAI D. INGRAM,</b></p> <p style="padding-left: 40px;"><b>Plaintiff,</b></p> <p style="padding-left: 80px;"><b>v.</b></p> <p><b>ALLEN LYNCH, S. DAVIS, and MILLIKEN,</b></p> <p style="padding-left: 40px;"><b>Defendants.</b></p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>Civil No. 22-42</b></p> <p><b>Judge Marilyn J. Horan/ Magistrate Judge Patricia L. Dodge</b></p>
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**MEMORANDUM ORDER**

This case has been referred to United States Magistrate Judge Patricia L. Dodge for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrate Judges. On June 27, 2024, the Magistrate Judge issued a Report and Recommendation, ECF No. 103, recommending that Defendants Allen Lynch, S. Davis, and Milliken’s Motion for Summary Judgment, ECF No. 79, be granted.

Objections were initially due by July 15, 2024. Mr. Ingram timely filed a Motion for Extension of Time to file Objections, which was granted, and the deadline was extended to August 2, 2024. ECF Nos. 104 & 105. Mr. Ingram again requested an extension of time to file Objections, and the deadline was extended to August 16, 2024. ECF Nos. 107 & 108. In the Order extending the deadline to August 16, 2024, the Court stated: “No further extensions will be granted.” ECF No. 108. Mr. Ingram did not file Objections.<sup>1</sup> After *de novo* review of the

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<sup>1</sup> Aware of the sometimes-lengthy delay between Mr. Ingram’s mailing of a document and it being received at the Courthouse, the Court reviewed Mr. Ingram’s last three mailings to ensure that the Court has waited a sufficient amount of time for any Objections to arrive. Mr. Ingram mailed a Motion on December 21, 2023, which arrived at the Courthouse six days later, on December 27, 2023. ECF No. 82. On July 10, 2024, Mr. Ingram mailed a Motion, which arrived at the Courthouse two days later, on July 12, 2024. ECF No. 104. Finally, on July 31, 2024, Mr. Ingram mailed a Motion, which arrived at the Courthouse six days later, on August 5, 2024. ECF No. 107. Mr. Ingram’s current Objections were due by August 16, 2024. As of the date of this Order, August 30, 2024, fourteen days have passed since August 16, 2024, and no Objections have been received by the Court.

pleadings and the documents in the case, together with the Report and Recommendation, the Court will grant the Defendants' Motion for Summary Judgment and dismiss this action.

The Court accepts the Report and Recommendation as to the Magistrate Judge's disposition of Mr. Ingram's claims. The Defendants' Motion for Summary Judgment will be granted as to all claims and all Defendants.

Accordingly, the following Order is hereby entered.

**ORDER**

AND NOW, this 30th day of August 2024, IT IS ORDERED as follows:

**I.** The Report and Recommendation, ECF No. 103, filed on June 27, 2024, providing recommendations as to Defendants' Motion for Summary Judgment, is adopted as the Opinion of this Court.

**II.** Defendants' Motion for Summary Judgment, ECF No. 78, is GRANTED.

**A.** Mr. Ingram's First Amendment Retaliation claim asserted against Defendant Lynch is dismissed for failure to exhaust administrative remedies.

**B.** Mr. Ingram's First Amendment Retaliation claim, related to an alleged fraudulent and retaliatory misconduct, asserted against Defendants Davis and Milliken, is dismissed because there is no genuine issue of material fact that Mr. Ingram is unable to state a retaliation claim.

**III.** It is further ORDERED that Plaintiff's Amended Complaint is dismissed and the Clerk of Court shall mark this matter closed.

s/Marilyn J. Horan  
Marilyn J. Horan  
United States District Judge

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