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

JONATHAN PAUL JONES, *Plaintiff*, v. PENNSYLVANIA ATTORNEY GENERAL, SCI SOMERSET, *and* DISTRICT ATTORNEY OF ALLEGHENY COUNTY, *Defendants*.	Civil Action No. 2:23-cv-379 Hon. William S. Stickman IV Hon. Maureen P. Kelly

ORDER OF COURT

Plaintiff Jonathan Paul Jones ("Jones"), an inmate in the custody of the Pennsylvania Department of Corrections, brought this *pro se* civil rights action for injunctive relief. (ECF Nos. 22 and 26). He seeks an order requiring Defendants to conduct DNA testing on hair evidence related to his Pennsylvania state court convictions at CP-02-CR9241-1999, CP-02-9242-1999, and CP-02-9243-1999 for his nighttime attacks on elderly women in their homes. Defendants, the Office of the Allegheny County District Attorney and Allegheny County Division of Laboratories, filed motions to dismiss. (ECF Nos. 48 and 56). After the conclusion of briefing on the motions, Magistrate Judge Maureen P. Kelly issued a Report and Recommendation that the motions be granted. (ECF No. 74). Objections were filed by Jones. (ECF Nos. 76 and 82).

Objections to a magistrate judge's disposition of a dispositive matter are subject to *de novo* review before the district judge. 28 U.S.C. § 636(b)(1)(B)-(C); Fed. R. Civ. P. 72(b)(3). The reviewing district court must make a *de novo* determination of those portions of the magistrate judge's report and recommendation to which objections are made. *Id.* Following *de*

novo review, "[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions." Fed. R. Civ. P. 72(b)(3).

Upon review of Magistrate Judge Kelly's Report and Recommendation, Jones's objections, and the Court's *de novo* review of the record in this matter, IT IS HEREBY ORDERED that Jones's objections (ECF No. 76) are OVERRULED. The Court has exercised its *de novo* review and concurs with Magistrate Judge Kelly's thorough analysis and legal conclusions. It has independently reached the same legal conclusions for the reasons expressed in the comprehensive Report and Recommendation. Therefore, the Court hereby APOPTS Magistrate Judge Kelly's Report and Recommendation (ECF No. 74) as its Opinion.

AND NOW, this 7 day of January 2025, IT IS HEREBY ORDERED that Defendants' motions to dismiss (ECF Nos. 48 and 56) are GRANTED. All of Jones's claims against the Office of the Allegheny County District Attorney and Allegheny County Division of Laboratories are dismissed. This case is dismissed without prejudice.

BY THE COURT:

WILLIAM S. STICKMAN IV
UNITED STATES DISTRICT JUDGE

1/7/25
Date