

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

JULIAN GUILLEN, )  
 ) Civil Action No. 07 - 245J  
 Plaintiff, )  
 ) District Judge Kim R. Gibson  
 v. )  
 )  
 MR. ZENK, Warden at M.V.C.C.; M. )  
 DAWSON, Medical Administrator; DOCTOR )  
 FAMIGLIO; and CORNELL COMPANIES, )  
 )  
 Defendants )

**MEMORANDUM ORDER**

The above captioned case was initiated by the filing of a Motion to Proceed *In Forma Pauperis* (doc. no. 1) on September 27, 2007, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

Magistrate Judge Lisa Pupo Lenihan filed a Report and Recommendation on September 15, 2008 (doc. no.28), recommending that Plaintiff's Motion for Temporary Restraining Order (doc. no. 24) be denied. Plaintiff filed Objections to the Report and Recommendation on September 26, 2008 (doc. no. 29). Defendants filed a Response to the Objections on October 2, 2008 (doc. no. 30). Plaintiff's Objections do not undermine the recommendation of the Magistrate Judge.

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

**AND NOW**, this 16<sup>th</sup> day of October, 2008;

**IT IS HEREBY ORDERED** that Plaintiff's Motion for Temporary Restraining Order (doc. no. 24) is **DENIED**.

**IT IS FURTHER ORDERED** that the Report and Recommendation (doc. no. 28) of Magistrate Judge Lenihan dated September 15, 2008, is **ADOPTED** as the Opinion of the Court.

By the Court:

A handwritten signature in black ink that reads "Kim R. Gibson". The signature is written in a cursive style with a horizontal line underneath the name.

Kim R. Gibson  
United States District Judge

cc: Lisa Pupo Lenihan  
United States Magistrate Judge

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