

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

WILLIAM BRANDON CUMMINGS,)	
)	
Plaintiff,)	Civil Action No. 09-20J
)	
v.)	Judge Gibson
)	Magistrate Judge Bissoon
CO BUTLER, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

William Brandon Cummings's civil rights complaint was received by this Court on January 30, 2009, and was referred to United States Magistrate Judge Cathy Bissoon for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules Rules 72.C and 72.D of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation, filed on October 8, 2009, recommended that the Defendants' Partial Motion to Dismiss (Doc. 18) be granted in part and denied in part. The parties were allowed ten days from the date of service to file objections. Service was made on Plaintiff by First Class United States Mail at his place of incarceration. Objections were due on or before October 21, 2009. No objections have been filed.

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

AND NOW, this 10th day of November, 2009,

IT IS HEREBY ORDERED that the Partial Motion to Dismiss filed by Defendants (Doc. 18) is GRANTED IN PART AND DENIED IN PART.

The Report and Recommendation of Magistrate Judge Bissoon (Doc. 32), dated October 8, 2009, is adopted as the opinion of 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 it.

Kim R. Gibson
U.S. District Court Judge

cc:
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