

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

DAMONT HAGAN, :
Plaintiff :
v. :Case No. 3:11-cv-232-KRG-KAP
FRANCIS PIROZZOLA and LARRY :
HOFFMAN, :
Defendants :

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636, and Local Civil Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on July 3, 2013, docket no. 33, recommending that the remaining defendants' motion for summary judgment, docket no. 23, be granted.

The parties were notified, pursuant to 28 U.S.C. § 636(b)(1), that they had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed timely objections, docket no. 34, that are meritless.

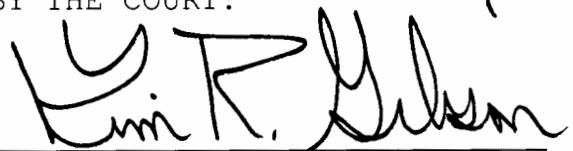
The Magistrate Judge previously filed a Report and Recommendation at docket no. 2, see also docket no. 18, recommending that the balance of the claims in the complaint, docket no. 3, as reiterated in the amended complaint, docket no. 11, be dismissed for failure to state a claim. Plaintiff filed timely objections to these recommendations, docket no. 5, docket no. 19, but those objections are likewise meritless.

After de novo review of the record, the Reports and Recommendations, and the timely objections thereto, the following order is entered:

AND NOW, this 9th day of September, 2013, it is

ORDERED that the defendants' motion for summary judgment, docket no. 23, is granted, and judgment is entered in favor of the two moving defendants. The Report and Recommendation at docket no. 33 is adopted as the opinion of the Court. Screening the amended complaint under 18 U.S.C. § 1915A, the balance of the amended complaint is dismissed without leave to amend for failure to state a claim. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, somewhat stylized font. The first name "Kim" is written with a large, looped "K". The last name "Gibson" is written with a large, looped "G".

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Damont Hagan DS-9488
S.C.I. Huntingdon
1100 Pike Street
Huntingdon, PA 16654