

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

PRESTON PIAZZA, :  
Plaintiff, :  
v. : Case No. 3:12-cv-194-KRG-KAP  
CHERYL KRAMER, :  
Defendant :

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 June 27, 2013, docket no. 47, recommending that the cross motions for summary judgment, docket no. 30, docket no. 40, be denied.

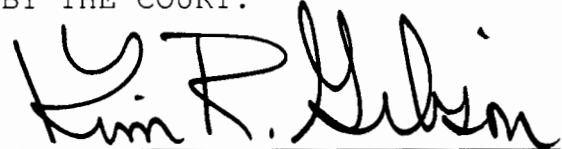
The parties were notified, pursuant to 28 U.S.C. § 636(b)(1), that they had fourteen days to file written objections to the Report and Recommendation. No one filed objections and the time to do so has expired.

After review of the Report and Recommendation, and noting the absence of objections thereto, the following order is entered:

AND NOW, this 9<sup>th</sup> day of September, 2013, it is

ORDERED that the plaintiff's motion for summary judgment, docket no. 30, and the defendant's motion for summary judgment, docket no. 40, are denied. The Report and Recommendation is adopted as the opinion of the Court.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive style with a horizontal line underneath.

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

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

Preston Piazza GE-6901  
S.C.I. Somerset  
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Somerset, PA 15510