

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

CARL WHITEHEAD,	)	Civil Action No. 3:14-cv-51
Plaintiff,	)	United States District Judge
v.	)	Kim R. Gibson
DENISE THOMAS, CAPT. BAKOS,	)	United States Magistrate Judge
JOSEPH DUPONT, LT. CINKO, C/O	)	Cynthia Reed Eddy
EHRHART, JOSEPH BIANCONI, and	)	
DR. RASHIDA MAHMUD,	)	
Defendants.	)	

**MEMORANDUM ORDER**

**KIM R. GIBSON**, United States District Judge.

The present action was initiated in this Court on March 19, 2014. The case was referred to United States Magistrate Judge Cynthia Reed Eddy for pretrial proceedings in accordance with Magistrate Judges Act, 28 U.S.C. § 636(b)(1) and Local Rules of Court 72.C and 72.D. After the close of discovery, four motions for summary judgment were filed by the parties as follows: two were filed by Plaintiff [ECF Nos. 110, 111], one was filed by Defendant Dr. Rashida Mahmud [ECF No. 107], and one was filed by the remaining “Commonwealth Defendants,” who consist of Defendants Thomas, Bakos, Dupont, Cinko, Ehrhart, and Bianconi., [ECF No. 101].

On May 23, 2017, Magistrate Judge Eddy issued a Report and Recommendation, recommending that the Court deny both of Plaintiff’s motions for summary judgment and grant both of Defendants’ motions for summary judgment. [ECF No. 126]. Service of the Report and Recommendation was made on all parties. Plaintiff was informed that he had until June 9, 2017

to file objections to the Report & Recommendation. To date, no objections have been filed. Accordingly, after a *de novo* review of the pleadings, motions for summary judgment and documents submitted in connection therewith, [ECF Nos. 101-104, 107-111, 113-116, 119], together with the Report and Recommendation, the following Order is entered:

**AND NOW**, this 20<sup>th</sup> day of June, 2017, **IT IS HEREBY ORDERED** that Plaintiff's Motions for Summary Judgment [ECF Nos. 110, 111] are **DENIED**.

**IT IS FURTHER ORDERED** that Dr. Rashida Mahmud's Motion for Summary Judgment [ECF No. 107] is **GRANTED** and that summary judgment is entered in her favor.

**IT IS FURTHER ORDERED** that Commonwealth Defendants' Motion for Summary Judgment [ECF No. 101] is **GRANTED** and that summary judgment is entered in their favor.

**IT IS FURTHER ORDERED** that the Report and Recommendation [ECF No. 126] is adopted as the Opinion of the Court.

By the Court,  
  
\_\_\_\_\_  
Kim R. Gibson  
United States District Judge

cc: **Carl Whitehead**  
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