

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

CARL WHITEHEAD,

Plaintiff,

v.

DENISE THOMAS, CAPT. BAKOS,
JOSEPH DUPONT, LT. CINKO, C/O
EHRHART, JOSEPH BIANCONI, and
DR. RASHIDA MAHMUD,

Defendants.

Civil Action No. 3:14-cv-51

United States District Judge
Kim R. Gibson

United States Magistrate Judge
Cynthia Reed Eddy

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 20th 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**
EK 5805
SCI Somerset
1600 Walters Mill Road
Somerset, PA 15510

All other registered users of CM-ECF