

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

RONALD WHEELER, :  
Plaintiff :  
v. : Case No. 3:15-cv-172-KRG-KAP  
JOHN WETZEL, et al., :  
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.

The Magistrate Judge filed a Report and Recommendation on August 28, 2018, ECF no. 122, recommending that the plaintiff's motion for summary judgment, ECF no. 101, be denied and that the defendants' motion for summary judgment, ECF no. 103, be granted.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1) they had fourteen days to file written objections to the Report and Recommendation. Despite a grant of additional time, no timely objections were filed.

After review of the record of this matter and the Report and Recommendation under the "reasoned consideration" standard, see EEOC v. City of Long Branch, 866 F.3d 93, 100 (3d Cir. 2017) (standard of review when no timely and specific objections are filed), the following order is entered:

AND NOW, this 27<sup>th</sup> day of September, 2018, it is

ORDERED that the plaintiff's motion for summary judgment, ECF no. 101, is denied and the defendants' motion for summary judgment, ECF no. 103, is granted. The Report and Recommendation is adopted as the opinion of the Court. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in cursive script that reads "Kim R. Gibson". The signature is written in black ink and is positioned above a horizontal line.

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

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

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