

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

RANDY CONSENTINO,)	
)	Civil Action No. 3: 15-cv-0269
Plaintiff,)	
)	United States District Judge
v.)	Kim R. Gibson
)	
COMMONWEALTH OF)	
PENNSYLVANIA DEPARTMENT OF)	
CORRECTIONS, et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

Before the Court is the Report and Recommendation of the Magistrate Judge (Doc. No 67) recommending that summary judgment be entered in favor of the defendants. Defendants' Objections to the Report and Recommendation were due by February 9, 2018 and Plaintiff's objections to the Report and Recommendation were due by February 12, 2018. No objections have been filed.

The district court must make a *de novo* determination of those portions of the report to which objections are made. 28 U.S.C. § 636(b)(1)(C); *see also Henderson v. Carlson*, 812 F.2d 874, 877 (3d Cir.1987). This Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The district court judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

AND NOW, this 13th day of February, 2018 it is hereby ORDERED that Defendants' motion for summary judgment (ECF No. 56) is GRANTED.

2. The Report and Recommendation (ECF No. 67) dated January 26, 2018, is **ADOPTED** as the Opinion of the Court.

3. The Clerk of Court shall mark this case as CLOSED.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

Kim R. Gibson
United States District Judge

cc: RANDY CONSENTINO
121 Maplewood Drive
Dover, PA 17315
(via U.S. First Class Mail)

Joseph G. Fulginiti
Department of Corrections
(via ECF electronic notification)