

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

WILLIAM C. SHARP,

Plaintiff,

v.

CIVIL ACTION NO. 2:18-cv-01056

C. O. HEART, et al.,

Defendants.

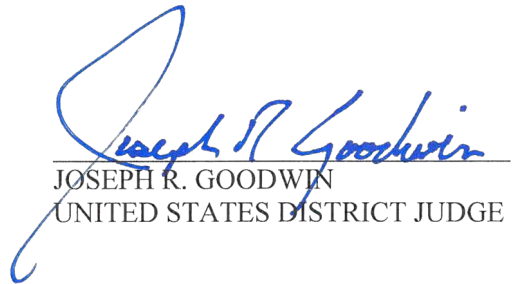
**ORDER**

This action was referred to United States Magistrate Judge Dwane L. Tinsley for submission of proposed findings of fact and recommendation for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On September 21, 2018, Judge Tinsley submitted his Proposed Findings and Recommendation [ECF No. 11] (“PF&R”), recommending the court dismiss the plaintiff’s Complaint [ECF No. 2] pursuant to 28 U.S.C. §§ 1915(e)(2)(B) and 1915A and the dictates of *Twombly* and *Iqbal*, and deny as moot the plaintiff’s Application to Proceed Without Prepayment of Fees and Costs [ECF No. 1]. No objections to Judge Tinsley’s PF&R have been filed.

Accordingly, the court **ADOPTS** and **INCORPORATES** herein the PF&R. The court **DISMISSES** the plaintiff’s Complaint [ECF No. 2] and **DENIES** as moot the plaintiff’s Application to Proceed Without Prepayment of Fees and Costs [ECF No. 1].

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record,  
any unrepresented party, and the United States Magistrate Judge.

ENTER:      October 16, 2018



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE