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BPS-50

IN THE UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 98-7372

FREDERICK EVANS,

Appellant

v.

CHARLES MITCHELL; SCOTT DALE;
ROBERT W. MEYERS; TERRY L.
WHITMAN; GREGORY P. GAERTNER

On Appeal From the United States District Court
For the Middle District of Pennsylvania
(D.C. Civ. No. 96-cv-02068)
District Judge: Honorable Richard Caputo

Submitted For Possible Dismissal Under 28 U.S.C. § 1915(e)(2)(B)
December 3, 1998

Before: SLOVITER, SCIRICA AND NYGAARD, CIRCUIT JUDGES

JUDGMENT

This case came to be heard on the record from the United States District Court for the Middle District of Pennsylvania and was submitted pursuant to 28 U.S.C. § 1915(e)(2)(B). On consideration whereof, it is now here ORDERED AND ADJUDGED by this court that the appeal is dismissed under 28 U.S.C. § 1915(e)(2)(B). All of the above in accordance with the opinion of this Court.

RECEIVED AND FILED

1-13-99

F. DOUGLAS SINK,
CLERK

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ATTEST:

P. Dwyer

Clerk

DATED: 13 DEC 1938

Certified as a true copy and issued in lieu
of a formal mandate on January 13, 1999

Teste:

P. Dwyer

Clerk, United States Court of Appeals for the Third Circuit.