

20
6/2/98
JC

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

FREDERICK W. FISHER, et al.,	:	
Plaintiffs	:	
vs.	:	CIVIL ACTION NO. 1:CV-98-0282 (Judge Caldwell)
JOE McDONALD, et al.,	:	(Magistrate Judge Durkin)
Defendants	:	

FILED
HARRISBURG, PA

JUN 1 - 1998

ORDER

MARY E. D'ANDREA, CLERK
Per [Signature] Deputy Clerk

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

The pro se plaintiff, an inmate at SCI-Waymart, Pennsylvania, has responded to our order of April 20, 1998, by filing an amended complaint. The plaintiff is also proceeding in forma pauperis so we will give the amended complaint an initial review under 28 U.S.C. § 1915(e)(2)(B)(ii).

The complaint basically alleges the following: (1) certain state actors, including an assistant Pennsylvania attorney general and the warden at the county prison where the plaintiff was formerly incarcerated, conspired with a newspaper reporter to defame the plaintiff in various newspaper articles; and (2) the plaintiff was prematurely transferred to state prison out of a retaliatory motive and to prevent him from being free on bail at the end of his county sentence.

Copied from the record
Date 6-1-98
Mary E. D'Andrea, Clerk
Per [Signature]
Deputy Clerk

For the reasons set forth in the magistrate judge's report of March 11, 1998, these allegations, among others, fail to state a federal claim.

Accordingly, this 1st day of June, 1998, it is ordered that:

1. This action is dismissed without service of process pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state claim on which relief may be granted.
2. The Clerk of Court shall close this file.



William W. Caldwell
United States District Judge