

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

NO. 04-1603

TRACY L. TODD,
Appellant

v.

L.P. BENNING, Warden; TROY LOHR;
JEFFREY A. BEARD; RANDY WHITE;
ROBERT HAMPTON; RICHARD LILLEY;
GARY PRINKEY; KEN CAIRNS;
KENNETH BUCHSBAUM; LORI KWISNEK;
MILLICENT PULKOWNIK;
WILLIAM CONFORTI; RONALD NOVAK;
ROBERT R. BUSS; KIRK NOLAN

On Appeal From the United States District Court
For the Western District of Pennsylvania
(D.C. Civ. No. 03-cv-00986)
District Judge: Arthur J. Schwab

Submitted For Possible Dismissal Under 28 U.S.C. § 1915(e)(2)(B) or Summary Action
Under Third Circuit LAR 27.4 and I.O.P. 10.6
October 7, 2004

Before: ALITO, FUENTES AND CHERTOFF, CIRCUIT JUDGES

JUDGMENT

This cause came on to be heard on the record from United States District Court for the Western District of Pennsylvania and was submitted for possible dismissal under 28 U.S.C. §1915(e)(2)(B) or summary action under Third Circuit LAR 27.4 and I.O.P. 10.6. On consideration whereof, it is now here

Received and Filed

11/19/04 *cmd*
Marcia M. Waldron,
Clerk

ORDERED AND ADJUDGED by this Court that the judgment of the District Court entered on February 18, 2004 be, and the same is, hereby summarily affirmed pursuant to Third Circuit LAR 27.4 and I.O.P. 10.6.

All of the above in accordance with the Opinion of the Court.

ATTEST:


Clerk

DATED: November 19, 2004