

APS-92

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

NO. 04-3534

TRACY L. TODD,
Appellant

v.

PHILIP L. JOHNSON, Warden; PAUL NOEL;
JOAN DELIE; SAMUEL WATTERSON; DOE SHOSTER;
JEFFREY A. BEARD, Secretary of DOC

On Appeal From the United States District Court
For the Western District of Pennsylvania
(D.C. Civ. No. 04-cv-00247)
District Judge: Honorable Arthur J. Schwab

Submitted Pursuant to 28 U.S.C. § 1915(e)(2)(B)
JANUARY 21, 2005

BEFORE: SLOVITER, NYGAARD AND FUENTES, CIRCUIT JUDGES

JUDGMENT

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

Received and Filed

2/9/05 CRG
Marcia M. Waldron,
Clerk

ATTEST:

Marcia M. Waldron

Clerk

DATED: February 9, 2005