

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

PURCELL BRONSON,)
Plaintiff)
vs.) Civil Action No. 10-1518
) District Judge Alan N. Bloch
JUDGE D.J. McDANIELS, ALLEGHENY)
COUNTY COURT,)
Defendants)

MEMORANDUM ORDER

On November 12, 2010, a motion for leave to proceed *in forma pauperis* was filed in the above captioned case, which was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The magistrate judge filed a report and recommendation on November 17, 2010 (ECF No. 2) recommending that the Plaintiff's motion to proceed in forma pauperis be denied in accordance with 28 U.S.C. § 1915(g) and that this action be dismissed for Plaintiff's failure to pay the filing fee, with the right of Plaintiff to reopen by paying the full \$350.00 filing fee within sixty (60) days. Plaintiff was served with the report and recommendation at his listed address and was advised that he had until December 6, 2010 to file written objections. No objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 21st day of December, 2010;

IT IS HEREBY ORDERED that Plaintiff's motion to proceed *in forma pauperis* (ECF No. 1) is **DENIED** in accordance with 28 U.S.C. § 1915(g).

IT IS FURTHER ORDERED that the report and recommendation (ECF No. 2) dated November 17, 2010, **as amended herein** is **ADOPTED** as the opinion of the Court. Plaintiff is **ORDERED** to pay the entire filing fee by January 11, 2011, and if he fails to do so, the Court will order the case dismissed for failure to prosecute.

By the Court:

s/Alan N. Bloch
Alan N. Bloch
United States District Judge

cc: Purcell Bronson
AF-8163
SCI Houtzdale
P.O. Box 1000
Houtzdale, PA 16698

Chief Magistrate Judge Lisa Pupo Lenihan