

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

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**CASE CLOSED**

GEORGE JONES,

Plaintiff )

vs. )

ROBERT BITNER, Chief Hearing )  
Examiner; JEFFREY BEARD, Sec. )  
of Corrections; MAJOR COLE, )  
Major of the Guards; CAPTAIN )  
PAM TEETER, Captain of the )  
Guards; SERGEANT MURRAY, )  
Sergeant of the Guards; MISTER )  
YONLISKY, Corrections Officer; )  
RICHARD WATSON, Person Service )  
Manager; RICHARD NILLES, DATSS; )  
M.J. MATTHEWS, Hearing Examiner )  
PHILIP JOHNSON, Superintendent )  
of SCI-PGH, )

Defendants )

Civil Action No. 03-1137  
Judge Robert J. Cindrich/  
Magistrate Judge Sensenich

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MEMORANDUM ORDER

Plaintiff's complaint was received by the Clerk of Court on July 29, 2003, and was referred to United States Magistrate Judge to Ila Jeanne Sensenich for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on October 21, 2003, recommended that Plaintiff's Complaint be dismissed in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A for

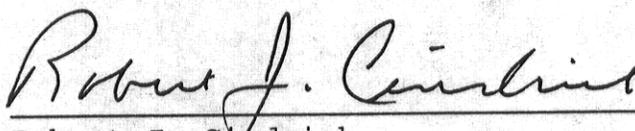
failure to state a claim upon which relief can be granted under 42 U.S.C. § 1983. The parties were allowed ten (10) days from the date of service to file objections. Service was made on plaintiff at SCI Huntingdon. Plaintiff filed objections to the report and recommendation on October 30, 2003. After de novo review of the pleadings and documents, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 14 day of Nov., 2003;

IT IS HEREBY ORDERED that Plaintiff's Complaint is dismissed in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2)(B)(ii) and/or 28 U.S.C. § 1915A for failure to state a claim upon which relief can be granted under 42 U.S.C. § 1983;

IT IS FURTHER ORDERED that Plaintiff's motion for leave to file amended complaint is denied because it fails to cure the inadequacies in the original complaint.

The report and recommendation of Magistrate Judge Sensenich, dated October 21, 2003 is adopted as the opinion of the court.



Robert J. Cindrich  
United States District Judge

cc: Ila Jeanne Sensenich  
U.S. Magistrate Judge

George Jones, AM-2329  
SCI Huntingdon  
1100 Pike Street  
Huntingdon, PA 16654-1112