

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

<b>BARRY T. KOCHER</b>	:	<b>CIVIL ACTION NO. 1:14-cv-1721</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Kane)</b>
	:	<b>(Magistrate Judge Carlson)</b>
<b>v.</b>	:	
	:	
<b>SOUTH LEBANON TOWNSHIP and</b>	:	
<b>OFFICER SEAN MCCARRICK</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

Before the court in the captioned action is a May 29, 2015 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

**ACCORDINGLY**, this 15th day of July, 2015, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT** the Court adopts the Report and Recommendation of Magistrate Judge Carlson. Defendants' motion to dismiss the plaintiff's complaint (Doc. No. 7) is **DENIED** with respect to defendant McCarrick, without prejudice to the filing of a properly documented motion for summary judgment, but **GRANTED** with respect to defendant South Lebanon Township.

**IT IS FURTHER ORDERED THAT** this case is referred back to Magistrate Judge Carlson for pretrial management.

S/ Yvette Kane  
YVETTE KANE, District Judge  
United States District Court  
Middle District of Pennsylvania