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

LEON CAINE,	:	**CIVIL ACTION NO. 1:16-CV-2153**
	:	
Plaintiff	:	**(Chief Judge Conner)**
	:	
v.	:	
	:	
ELLEN KOLMAN, *et al.*,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 13th day of January, 2017, upon consideration of the report

(Doc. 9) of Magistrate Judge Martin C. Carlson, recommending the court dismiss the

above-captioned matter with prejudice in light of the failure of *pro se* plaintiff Leon

Caine ("Caine") to file a curative second amended pleading within the time period

provided by the court, (see id. at 2-4; see also Doc. 8), and it appearing that Caine did

not object to the report, see FED. R. CIV. P. 72(b), and the court noting that failure of

a party to timely object to a magistrate judge's conclusions "may result in forfeiture

of *de novo* review at the district court level," Nara v. Frank, 488 F.3d 187, 194 (3d Cir.

2007) (citing Henderson v. Carlson, 812 F.2d 874, 878-79 (3d Cir. 1987)), but that, as

a matter of good practice, a district court should "afford some level of review to

dispositive legal issues raised by the report," Henderson, 812 F.2d at 878; see also

Taylor v. Comm'r of Soc. Sec., 83 F. Supp. 3d 625, 626 (M.D. Pa. 2015) (citing Univac

Dental Co. v. Dentsply Int'l, Inc., 702 F. Supp. 2d 465, 469 (M.D. Pa. 2010)), in order

to "satisfy itself that there is no clear error on the face of the record," FED. R. CIV. P.

72(b), advisory committee notes, and the court finding no error in the report and in

full agreement with Judge Carlson's analysis, it is hereby ORDERED that:

1.   The report (Doc. 9) of Magistrate Judge Carlson is ADOPTED.

2.   Caine's complaint (Doc. 1) and amended complaint (Doc. 7) are DISMISSED with prejudice.

3.   The Clerk of Court is directed to CLOSE this case.

4.   Any appeal from this order is deemed to be frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania