

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
PENNSYLVANIA

Frank Tufano v. Paul Saladino, MD, et al.

Tufano · No. 4:25-CV-01960 · Decided February 3, 2026

SUMMARY

The United States District Court for the Middle District of Pennsylvania adopted a magistrate judge’s Report and Recommendation and dismissed Frank Tufano’s civil complaint without prejudice for lack of jurisdiction. The court directed the Clerk of Court to close the case.

CASE DETAILS

COURT	United States District Court for the Middle District of Pennsylvania
WRITING FOR THE COURT	Matthew W. Brann
JURISDICTION	United States District Court for the Middle District of Pennsylvania
DECIDED	February 3, 2026
DOCKET	4:25-CV-01960
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff objected to a magistrate judge's Report and Recommendation recommending sua sponte dismissal without prejudice for lack of jurisdiction. The district court reviewed the objections and adopted the recommendation.
STANDARD OF REVIEW	For timely objections to a magistrate judge's Report and Recommendation, the district court must conduct a de novo determination of the portions to which objection is made. The district court may accept, reject, or modify the magistrate judge's findings or recommendations in whole or in part.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	Frank Tufano v. Paul Saladino, MD, et al.

TOPICS

- subject matter jurisdiction
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's recommendation to dismiss the complaint without prejudice for lack of jurisdiction.
2. What standard of review applies to timely objections to a magistrate judge's Report and Recommendation.

HOLDINGS

1. The district court found no error in the magistrate judge's recommendation and adopted the Report and Recommendation.
2. The complaint was dismissed without prejudice for lack of jurisdiction.

KEY QUOTATIONS

“If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.’”

FACTUAL BACKGROUND

Frank Tufano filed a civil complaint alleging that numerous individuals and entities had conspired against him. The complaint was dismissed without prejudice because the court lacked jurisdiction over the matter. The opinion does not describe the underlying alleged conspiracy in further detail.

PROCEDURAL HISTORY

Tufano filed a civil complaint alleging that numerous individuals and entities conspired against him. Magistrate Judge Leo A. Latella recommended sua sponte dismissal without prejudice for lack of jurisdiction. After Tufano timely objected, the district court conducted the required review, found no error, adopted the Report and Recommendation, dismissed the complaint without prejudice, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Equal Emp't Opportunity Comm'n v. City of Long Branch, 866 F.3d 93, 99 (3d Cir. 2017)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA FRANK TUFANO, No. 4:25-CV-01960 Plaintiff, (Chief Judge Brann) v. (Magistrate Judge Latella) PAUL SALADINO, MD, et al., Defendants. ORDER FEBRUARY 3,

2026 Frank Tufano filed this civil complaint alleging that numerous individuals and entities have conspired against him.¹ In December 2025, Magistrate Judge Leo A. Latella issued a Report and Recommendation recommending that this Court sua sponte dismiss the complaint without prejudice for lack of jurisdiction.² Tufano filed timely objections to the Report and Recommendation, arguing that he has stated a claim for relief and that the Court has jurisdiction over this matter.³ “If a party objects timely to a magistrate judge’s report and recommendation, the district court must ‘make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.’”⁴ 1 Doc.

1. 2 Doc. 5. 3 Doc. 6. 4 *Equal Emp’t Opportunity Comm’n v. City of Long Branch*, 866 F.3d 93, 99 (3d Cir. 2017) Regardless of whether timely objections are made, district courts may accept, reject, or modify—in whole or in part—the magistrate judge’s findings or recommendations.⁵ After reviewing the record, the Court finds no error in Magistrate Judge Latella’s recommendation that this matter should be dismissed for lack of jurisdiction.

Consequently, IT IS HEREBY ORDERED that: 1. Magistrate Judge Leo A. Latella’s Report and Recommendation (Doc. 5) is ADOPTED; 2. Tufano’s complaint (Doc. 1) is DISMISSED without prejudice for lack of jurisdiction; and 3.

The Clerk of Court is directed to CLOSE this case. BY THE COURT: s/ Matthew W. Brann
Matthew W. Brann Chief United States District Judge 5 28 U.S.C. § 636(b)(1); Local Rule 72.31.