

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**CHRISTOPHER E. ROBINSON,**

**Plaintiff,**

**v.**

**5:21-CV-1098  
(TJM/ML)**

**MICHAEL WRIGHT, New York State Parole  
Officer; MATTHEW MULLEN, New York  
State Parole Officer; and TONIA  
ZIMMERMAN, New York State Parole  
Officer,**

**Defendants.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**

**DECISION and ORDER**

**I. INTRODUCTION**

The Clerk of the Court sent the *pro se* complaint (Dkt. No. 1) together with an amended application to proceed *in forma pauperis* (Dkt. No. 7) and a motion for appointment of counsel (Dkt. No. 4) filed by Christopher E. Robinson (“Plaintiff”) to the Hon. Miroslav Lovric, United States Magistrate Judge, for review. Judge Lovric granted Plaintiff’s amended *in forma pauperis* application, denied Plaintiff’s motion for appointment of counsel with leave to renew, and recommended that Plaintiff’s Complaint be dismissed with leave to amend. See Order and Rep-Rec., Dkt. No. 9. Plaintiff did not object to the recommendation for dismissal in the Order and Report-Recommendation and the time to do so has passed, although Plaintiff did file an amended complaint. See Dkt. No. 11.

**II. DISCUSSION**

After examining the record, this Court has determined that the recommendation for dismissal in the Order and Report-Recommendation is not subject to attack for plain error or manifest injustice. The Court will accept and adopt Judge Lovric's recommendation for the reasons stated within the Order and Report-Recommendation.

**III. CONCLUSION**

Accordingly, Judge Lovric's Order and Report-Recommendation, Dkt. No. 9, is **ACCEPTED and ADOPTED**. Thus, it is hereby

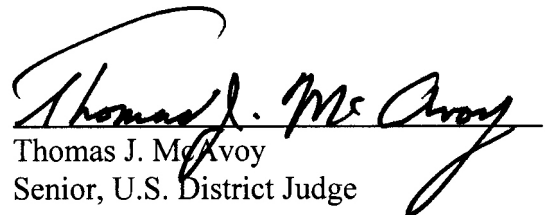
**ORDERED** that Plaintiff's claims asserted in the Complaint are **DISMISSED WITH LEAVE TO REPLEAD** for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); and it is further

**ORDERED** that Plaintiff's Amended Complaint, Dkt. No. 11, is accepted for filing, and the Clerk of the Court is directed to send it to Judge Lovric for initial review; and it is further

**ORDERED** that Plaintiff's letter motion requesting an extension of time to amend the Complaint, Dkt. No. 10, is **DENIED as moot**.

**IT IS SO ORDERED.**

Dated: May 11, 2022

  
Thomas J. McAvoy  
Senior, U.S. District Judge